



COUNTY OF SAN DIEGO  
DEPARTMENT  
OF  
HOUSING AND COMMUNITY DEVELOPMENT

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**Neighborhood Stabilization  
Program (NSP)**

**Notice of Funding Availability (NOFA)  
For The  
Acquisition, Rehabilitation, and Development of  
Abandoned or Foreclosed Homes or  
Residential Properties for Permanent Rental Housing**

**Release Date: March 6, 2009**

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**Submission Date: August 7, 2009**

*Catherine Trout Lichterman  
Director*

[www.sdcounty.ca.gov/sdhcd/library/nofa.html](http://www.sdcounty.ca.gov/sdhcd/library/nofa.html)

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# COUNTY OF SAN DIEGO

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# NEIGHBORHOOD STABILIZATION PROGRAM NOTICE OF FUNDING AVAILABILITY (NOFA)

## GENERAL INFORMATION

The Neighborhood Stabilization Program (NSP), authorized under Title III of the Housing and Economic Recovery Act of 2008 enacted July 30, 2008, appropriated \$3.92 billion of Community Development Block Grant (CDBG) funds nationwide. The program is administered through the U.S. Department of Housing and Urban Development (HUD). NSP provides entitlement grants to state or local jurisdictions to help stabilize neighborhoods significantly impacted by the housing crisis. In general, HUD considers these funds Community Development Block Grant (CDBG) funds and the regulations under 24 CFR part 570 are applicable.

HUD considers the implementation of this program an urgent matter. As such, specific requirements, activities and timelines have been established to ensure entitlement grantees used the funds in an expeditious manner. Specifically, NSP funds must be obligated within 18 months, used on specific activities, and used primarily to benefit the most impacted neighborhoods.

The County of San Diego was allocated \$5,144,152 for the Neighborhood Stabilization Program (NSP) under the Housing and Economic Recovery Act of 2008. NSP requires that at least 25 percent of the funds be used for the purchase and redevelopment of foreclosed or abandoned homes or residential properties that will be used to house individuals or families whose incomes do not exceed 50% of the area median income.

In releasing this NSP Notice of Funding Availability (NOFA), the goal of the County of San Diego, Department of Housing and Community Development (HCD) is to assist non-profit organizations or other affordable housing developers with the acquisition, rehabilitation, and development of eligible foreclosed or abandoned properties in the target areas to provide permanent affordable rental housing for San Diego's low income individuals or families with incomes at or below 50 percent of the area median income.

Qualified nonprofit and private developers, who can demonstrate their ability to develop, acquire, rehabilitate, and operate affordable housing are encouraged to submit proposals. Properties acquired with NSP funds will have a mandatory 15 year affordability period and all units in the project must be restricted for occupancy by individuals or families at or below 50 percent of the area median income.

Submittals marked "Department of Housing and Community Development, County of San Diego, Attn: Community Development Division" are **due no later than 5:00 PM on Friday, August 7, 2009**, at the front reception desk in the Department of Housing and Community Development at 3989 Ruffin Road, San Diego, CA 92123. Submittals must consist of a signed original and one copy of the complete application packet. Faxed copies will not be accepted.

Late proposals cannot be considered unless that is the only one received or there was mishandling on behalf of County staff.

## FUNDING AVAILABILITY AND PRIORITIES

A minimum of \$2 million is available under this NOFA for acquisition, rehabilitation, and development of homes and residential properties that have been abandoned or foreclosed upon, in order to create permanent rental housing development for low income individuals or families whose incomes do not exceed 50% of the area median income. NSP funds will be provided as a loan, payment of interest will not be required, and it may be forgivable after 15 years, providing all NSP loan terms are met. Additional NSP funds may be allocated to this NOFA based on the availability of program funds. Awards are contingent upon receipt of funding from the U.S. Department of Housing and Urban Development (HUD).

Through the HUD funded Neighborhood Stabilization Program (NSP), this NOFA makes available a minimum of \$2 million to provide financial assistance to help stabilize neighborhoods significantly impacted by the foreclosure crisis within the Urban County. The Urban County consists of the unincorporated areas and the cities of Coronado, Del Mar, Imperial Beach, Lemon Grove, Poway, and Solana Beach. These funds are available to nonprofit organizations and other affordable housing developers.

PRIORITIES for affordable housing development under this NOFA are:

1. Project must be located in an area of greatest need within the Urban County (see **Attachment F** for NSP Target Areas);
2. Project readiness (Must demonstrate that the project can be completed in a timely manner and that adequate staffing is available to expedite NSP projects);
3. Rehabilitation of acquired homes that incorporates energy efficient components and achieves energy efficiency at least 20% greater than current Title 24 requirements;
4. Acquisition and rehabilitation of foreclosed or abandoned residential property that was constructed after 1978; and,
5. Special Needs Housing Component.

## ELIGIBLE PROPERTY TYPES

Abandoned or foreclosed upon homes and residential property within the Urban County.

Eligible properties must meet the following definitions:

1. Homes: Any type of permanent residential dwelling unit, including detached single family structures, townhouses, condominium units, multifamily rental apartments (covering the entire property), and manufactured homes where treated under state law as real estate (not as personal property);
2. Residential Properties: Includes all of the above as well as vacant land that is currently designated for residential use, e.g. through zoning;
3. Abandoned: A home is abandoned when mortgage or tax foreclosure proceeding have been initiated for that property, no mortgage or tax payments have been made by the property owner for at least 90 days, AND the property has been vacant for at least 90 days.
4. Foreclosed: A property has been foreclosed upon at the point that, under state law, the mortgage or tax foreclosure is complete. HUD generally will not consider a foreclosure to be complete until after the title for the property has been transferred from the former homeowner under some type of foreclosure proceeding or transfer in lieu of foreclosure, in accordance with state or local law.

## PROPERTY ACQUISITION

In order for the acquisition of a property to be eligible for NSP funds, properties must be purchased at a fifteen percent (15%) discounted rate from the current market-appraised value. The appraised value must be determined within 60 days of the close of escrow.

## PROGRAM BENEFICIARIES

This is defined as persons with incomes at or below 50% of the Area Median Income for the San Diego Metropolitan Statistical Area. The current limits for 2009 are:

Household Size	1	2	3	4	5	6	7	8
<b>50% AMI</b>	28,900	33,050	37,150	41,300	44,600	47,900	51,200	54,500

## DEFINITION OF AFFORDABLE RENTS

The NSP definition of affordable rents is the same as the definition of affordable rents for the HOME program. The NSP will use the HUD published schedule of affordable rents for the HOME program. The schedule is adjusted and published annually. This means that 50% HOME rents are established for households with incomes at or below 50% of the area median income, which are known as Low HOME rents. Affordable rents will be determined by subtracting the family paid utilities from the applicable Low HOME rent. Low HOME rents can be found in **Attachment B** to this NOFA.

## REHABILITATION STANDARDS

Housing rehabilitation standards under the HOME program will be applicable for NSP assisted activities under this NOFA. HOME program rehabilitation standards are described in the program guide at:

<http://www.hud.gov/offices/cpd/affordablehousing/training/materials/building/index.cfm>

These standards are summarized as follows:

Local written rehabilitation standards and state and local code requirements will apply, or if no state and local requirements, then the Uniform Building Code (ICBO), the National Building Code (BOCA), the Standard Building Code (SBCCI), the Council of American Building Officials one – or two –family code (CABO), or the minimum property standards at 24 CFR 200.925 or 200.926 (FHA) will apply, as well as, handicapped accessibility requirements, where applicable.

## DEVELOPER CAPACITY

Applicant capacity to perform administrative, managerial, and operational functions, and to oversee the work necessary for successful completion of the proposed project, will be evaluated. Please provide the Developer Disclosure Statement (**Attachment H**).

To be eligible for NSP financing, an applicant must:

1. Exhibit the prior work of staff, partners, or consultants resulting in successful development of affordable rental housing. Successful development may be in operation, construction, acquisition, acquisition with rehabilitation, or any combination of accomplishments that created or preserved affordable rental housing.
2. Possess control of the proposed development site through fee title, an option to purchase, a disposition and development agreement with a public agency, a land sales contract, a leasehold with development provisions, or any other enforceable instrument approved by HCD.

### CONDITIONS

HCD reserves the right to negotiate and award contracts to multiple applicants and request additional information from applicants. By the act of submitting a proposal, applicants acknowledge and agree to the terms and conditions of this NOFA and to the accuracy of the information they submit in response. HCD reserves the right to reject any and all submittals, waive any irregularities in the submittal requirements, or cancel this NOFA. All submittal packages become the property of HCD and, as such, are subject to the Public Information Act and become public property.

All requirements of the Neighborhood Stabilization Program (NSP) and the federal Community Development Block Grant Program (CDBG) apply under this NOFA. Assistance with these regulations may be obtained from HCD by calling (858) 694-8741. For reference, an abridged set of NSP and CDBG rules (**Attachment A**) is contained herein.

### TECHNICAL ASSISTANCE, CLARIFICATION AND ADDENDA

Consultation with County HCD staff to discuss potential project concepts, funding regulations, application requirements, etc. will be available by appointment. County HCD staff will be available for clarification of application contents and regulations. Requests for clarifications regarding this NOFA should be directed to: Tom D'Lugo, Department of Housing and Community Development, 3989 Ruffin Road, San Diego, CA 92123-1890, or at (858) 694-8741.

Substantive changes in the submittal requirements, if any, will be made and issued in the form of an addendum to all organizations requesting a NOFA package.

### PROPOSAL REQUIREMENTS

Responsive proposals adequately address the following issues.

- **Timeliness**  
Federal guidelines require that these funds be spent in a timely and expeditious manner. Funding provided under the NSP must be obligated within 18 months of the County receiving the funding.
- **Program Income**  
Funds generated as a result of NSP funding must be reported to HCD and are subject to HUD regulations.

- National Objective  
Each NSP funded project under this NOFA must assist persons with incomes equal to or less than 50% of the area median income.
- Accessibility
- Affirmative Fair Housing Marketing Plan
- Audited Financial Statements and Single Audit, as applicable
- Crime-Free Multifamily Housing
- Community Review and Land Use Approvals (if applicable)
- Competitive Bidding Requirements
- Energy Efficiency  
Proposals involving construction of new housing are expected to contain descriptions of specific measures that will be taken to make the units energy efficient. Examples of energy efficient measures include, but are not limited to, solar photovoltaic panels; dual glazed, low-e windows; water efficient appliances; Energy Star rated appliances; durable building products, solar assisted water system; or water efficient landscape irrigation. Rehabilitation projects should also propose to increase energy efficiency or energy savings in the housing project by at least 20%. An Energy Efficiency-Based Utility Allowance (EEBUA) schedule is available to qualified projects. Contact HCD staff for more information.
- Environmental Review and Hazardous Waste Assessment
- Equal Opportunity
- Lead-Based Paint Compliance
- MAI Appraisal  
An appraisal performed by a Member Appraisal Institute (MAI) must be obtained for all properties purchased with NSP funds within 60 days of the close of escrow and it must meet the URA provisions at 49 CFR 24.103.
- Management Plan
- Minimum Organization Standards for Nonprofit Developers
- Minority and Women's Business Enterprise-Contracting Requirements
- Prevailing Wage Rates/Davis Bacon

Generally, the use of public funds in housing development initiates compliance with the Davis Bacon Act and requires payment of Federal Labor Wage rates or State Prevailing Wages to construction workers. Applicants must use these lawful wage rates in the



calculation of development expense. HCD may assist developers in acquiring wage rate determinations.

- Priorities and Underwriting Criteria
  - Maximum Loan-to-Completion-Value Ratio: 95%
  - Minimum Property Debt Coverage Ratio: 1.05
  - Purchase Price Must Meet NSP required Discount Value
- Rehabilitation Estimate

Proposals involving rehabilitation or acquisition/rehabilitation must contain specific information on the physical condition of the structure(s), as well as the estimated cost for the rehabilitation work, and may require testing of major building systems.
- Acquisition and Relocation Requirements – subject to the Uniform Acquisition and Relocation Act of 1970 (URA) as revised and Section 104(d) of the Housing and Community Development Act of 1974, as amended.
- Replacement Reserve Analysis
- Section 3 Requirements (see <http://www.hud.gov/offices/fheo/progdesc/emp-lowr.cfm>)
- Site Control

## PROPOSAL REVIEW

Initial proposals are subject to preliminary review for completeness. HCD staff will review all proposals containing the required items. Applicants submitting incomplete or ineligible proposals will be so notified. The selection procedure will include evaluation of proposal financing demonstrated in the NSP NOFA Application and the development pro formas submitted by the developer. A determination will also be made concerning the consistency of the proposal with the strategy and priorities developed by the County of San Diego for the use of Neighborhood Stabilization Program funds. Funded proposals must comply with the regulations of the NSP program.

Following the above review, an HCD staff committee will consider the application and HCD staff comments. Based on the committee review, the Community Development Division Chief will then make recommendations to the Director of HCD for consideration.

## REQUIREMENTS FOR SUBMITTAL

To be responsive, a complete NOFA Application must contain the following items:

### **HCD General NOFA Application (pages 14-65)**

**Development Forms: Rental Income Form, Operating Expense, Development Cost, Sources and Uses of Funds, Multi-year Cash Flow and Development Pro Forma.** The estimated Rental Income form will be used to determine financial feasibility and affordability of the project. (Use **Attachment B and E** to make the necessary calculations.) Please contact Tom

D'Lugo by phone or via E-mail at [Tom.Dlugo@sdcounty.ca.gov](mailto:Tom.Dlugo@sdcounty.ca.gov) for any questions on the required development forms.

### **Affordability**

**Attachment B** outlines affordable rent limits for this NSP NOFA. Preference will be given to those projects with the greatest number of units.

- Housing units are "affordable" when housing expenses, including an adjustment for utilities, are no more than thirty percent of adjusted household income.

### **Articles of Incorporation and By Laws**

#### **Audited Financial Statements**

Submitted audited financial statements must be current within the last 12 months, and must include a Financial Statement indicating surplus or deficits in operating accounts, a detailed itemized listing of income and expenses, and the amounts of any fiscal reserves. (Such audit shall be prepared in accordance with the requirements of the County, certified by an independent certified public accountant licensed in California or other accountant acceptable to the County).

In accordance with Office of Management and Budget OMB Circular A-133, any non-federal entity, including States, Local Governments, and Non-Profit Organizations, that expend \$500,000 or more in a year in Federal awards shall have an OMB Circular A-133 single audit conducted for that year. (See <http://www.whitehouse.gov/omb/circulars/a133/a133.html>)

If applicable, provide a copy of the OMB Circular A-133 audit and written notification of the results of the OMB Circular A-133 audit. In addition, in compliance with all Federal requirements provide HCD with the corrective action plan for any deficiencies identified in the OMB Circular A-133 audit and the latest status of the corrective action plan.

#### **Board Resolution**

An applicant must submit a resolution of its Board of Directors authorizing the submittal of a proposal and identifying who is authorized to execute documents. (Use **Attachment K**)

#### **Certifications:**

- For CBDOs, a copy of CBDO certification
- For CHDOs, a copy of CHDO certification
- For Nonprofit Organizations-proof of 501(c)(3) status and an up-to-date roster of the applicant's board of directors.

#### **Community Review and Land Use Approvals**

Applicants must have all applicable local land use approvals at the time of NOFA submittal or must present a reasonable plan and timeline detailing how the developer will obtain any discretionary approvals for the project. Examples of such approvals include, but are not limited to, general plan amendments, rezonings, and conditional use permits. Local land use approvals not required to be obtained at the time of application include design review, Phase I Environmental study, variances, and development agreements.

Whether or not discretionary permits are necessary, applicants submitting proposals involving new construction, acquisition, or change of use must present the proposal to the appropriate Community Planning/Sponsor Group and request their vote on the project, prior to submittal of the NOFA application. The application must document the Planning/Sponsor Group's response to the presentation and/or vote on the proposal, if one was taken.

### **Consistency with the FY 2005-2010 County of San Diego Consortium Consolidated Plan**

Applicants are required to demonstrate that their project is consistent with the current HUD-approved Consolidated Plan for the County of San Diego, and if applicable, for the jurisdiction where the project is located.

### **Crime-Free Multifamily Housing Program**

Proposals must contain an element designed to provide Crime-Free Multifamily Housing in apartment complexes within the Urban County. This provision is included in order to ensure a crime free environment for residents. It would provide special services in apartment developments to decrease all types of illegal activities, and would include an educational component for owners and renters, physical inspections to improve lighting and landscaping, and information sharing to establish neighborhood identity. These services are supported by the County Sheriff's Department Crime-Free Multifamily Housing program. Through the Community Oriented Policing and Problem Solving Unit, the Sheriff provides informational sessions on how to cut crime in multifamily neighborhoods. Expenses associated with the Crime-Free Multifamily Housing Program for the proposed project should be covered in the project budget. An outline of the project's Crime Free Housing Program must be submitted with the application. In addition, a full description of the project's crime free program must be included in the Management Plan.

### **Developer's Disclosure Statement**

Use **Attachment H**. Applicants must identify the individual(s) authorized to negotiate on behalf of the developer and identify members of the development team. Include the credentials of the development team members.

### **Evidence of Compliance with Previous HCD Loans (Use Attachment I)**

#### **Evidence of Funding Commitments**

Letters of intent from other lenders must include the name, title, and telephone number of the responsible contact person. HCD must be advised if Applicant will be requesting that HCD subordinate financial interests. HCD will require other lenders on this project to subordinate to the County's regulatory restrictions.

#### **Evidence of Site Control**

Applicants must possess control of the proposed development site through fee title, an option to purchase, a disposition and development agreement with a public agency, a land sales contract, leasehold with development provisions, or any other enforceable instrument as approved by HCD.

#### **Hazardous Waste Assessment**

A housing development proposal (acquisition, rehabilitation, or new construction) must have, at a minimum, an approved Phase I Hazardous Waste Assessment Report. This report is to be submitted with the NOFA application. A hazardous materials (asbestos, lead paint) inspection

report may also be required. In addition, testing for asbestos, residual pesticides, mold, and water damage may be required. In certain situations, a Phase II and Phase III Environmental Assessment may be necessary. Time requirements for these reviews vary substantially, depending upon the potential for environmental impact. Please note that additional expenses may be incurred in preparing these required reviews. The NOFA applicant is responsible for these costs.

### **Location map, site plan, floor plan, photos**

### **MAI Appraisal**

An Appraisal Report prepared by a Member Appraisal Institute (MAI) is required for all acquisition, rehabilitation and new construction projects. The NSP program does not require a specific appraisal format. Existing appraisal formats used by Fannie Mae, FHA, or MAI appraisers may be used as long as the appraisal contains all the items listed in 49 CFR 24.103 and is dated within 60 days of the final purchase offer. If the existing appraisal format does not have all the elements required by 49 CFR 24.103 then the missing information can be appended to it.

An appraisal must determine both the “as-is” and “after-rehab” values of the development. Appraisals can take several weeks to complete, so do not delay this requirement. New construction applicants are required to submit a land-only and an “as-built” appraisal, along with market studies to assist HCD in establishing value.

A review appraisal, in accordance with 49 CFR 24.104 of the Uniform Relocation Act, will be required for an “Involuntary Acquisition.”

### **Minimum Organization Standards for Nonprofit Developers**

Nonprofit applicants for HCD loans must provide certification of the following organization standards:

- A minimum of four directors establishes a quorum for conducting organization business;
- The organization conducts quarterly board meetings;
- Quarterly financial statements are reviewed by the board of directors; and,
- The executive director and other paid staff do not serve as voting board members.

### **Partnership Agreement (if applicable)**

### **Project Location**

Projects must be located in an area of greatest need within the Urban County (see **Attachment F** for NSP Target Areas). The jurisdiction of the Urban County of San Diego includes the following areas:

- Unincorporated Area of the County of San Diego;
- City of Coronado;
- City of Del Mar;
- City of Imperial Beach;
- City of Lemon Grove;
- City of Poway;
- City of Solana Beach.

## **Rehabilitation Estimate**

All HCD-funded developments involving acquisition must include the repair or replacement of major building systems to extend the service life of the property improvements for a minimum of 15 years. Testing of major building systems may be required. Applicants are encouraged to obtain a Preliminary Cost Estimate prior to making a final offer for purchase of a property.

To avoid delays, applicants must provide a termite report for any acquisition project. In addition, testing for asbestos, residual pesticides, mold, and water damage may be required.

NOTE: Proposals involving buildings constructed prior to 1978 may be adversely affected by strict regulations requiring the remediation/removal of lead-based paint and asbestos-containing building materials, making rehabilitation of older buildings infeasible in some cases.

## **Relocation Plan**

NOFA applications involving relocation of residents shall include an anti-displacement/relocation plan in compliance with relocation laws. Developers are strongly encouraged to contract with a relocation consultant to manage their relocation process. Either the California Relocation Assistance Act or Uniform Acquisition and Relocation Act of 1970 (URA) as revised and Section 104(d) of the Housing and Community Development Act of 1974, as amended, may apply. Proposed relocation plans must budget for all tenant relocation and displacement costs, including costs for temporary relocation during construction or rehabilitation. Relocation Plans must also include a current copy of rent rolls, as of the date of submission, detailing family income, household characteristics, and current rent paid by each household in the proposed project.

## **Replacement Reserve Analysis**

An adequate 15-year replacement reserve analysis will identify the current condition of all building elements in the development (the roof, plumbing, exterior, interior etc.) and indicate repairs, which require immediate attention. The analysis should indicate the year built, the expected useful life of the system, the remaining life expectancy and the year requiring replacement. The analysis should indicate the estimated annual expenditures required to maintain the property and provide a funding plan summarizing the annual replacement reserve contribution necessary to meet future expenditure requirements.

## **Schedule and Analysis of Real Estate Owned (Use Attachment M)**

### **Tenant Characteristics Form**

If the proposed development is currently occupied, a Tenant Characteristics Form is required to determine the extent of relocation. Use **Attachment J**.

### **Timeline for Loan Closing and Disbursement of Funds**

Time is of the essence to committed funds. The proposed schedule must demonstrate that the project can be completed in a timely manner and that adequate staffing is available to expedite the NSP project. Funding under the NSP must be obligated within 18 months of the County receiving the funds. The proposed schedule must demonstrate that the project can be completed in a timely manner and that adequate staffing is available to expedite the NSP project.

Upon approval of an HCD loan commitment, funds will be reserved for the project for a maximum of six months. In extraordinary circumstances, requests for time extensions may be approved if accompanied by appropriate justification. HCD, in its sole discretion, may approve or deny such requests.

Recipients will be required to execute a loan agreement, promissory note, deed of trust, regulatory agreement, and other related loan and construction documents. **Expenses incurred prior to execution of the loan documents will not be eligible for reimbursement.** Loan funds will not be disbursed until the loan is closed through escrow and, if the proposal includes relocation of residents or businesses, the developer's relocation consultant has submitted a Relocation Plan and has issued all appropriate Uniform Relocation Act Required Notices and any other informational requirements to all existing tenants. Loan funds will be disbursed for work completed following HCD approval in a form prescribed by HCD. Verifiable documentation of expenses must be submitted with all payment requests.

The County of San Diego reserves the right to reallocate funds from one approved project to another or to a new activity, or to cancel fund reservations at its discretion, if projects are not proceeding satisfactorily (in the sole opinion of County) towards commencement of the proposed activity.

### **“As-Built” Appraisal for New Construction Proposals**

In addition to the land-only appraisal required for new construction proposals, an “as-built” appraisal will be required.

### **Certificate of Compliance with the HCD Equal Opportunity Program**

It is the policy of the Department to encourage equal opportunity in contracts. Toward this end, proposals from disabled veteran-owned businesses, women-owned businesses, firms owned by African-Americans, American Indians, Asian Americans, Filipinos, Latinos, and local firms are strongly encouraged. Prime contractors are encouraged to subcontract or joint venture with these firms. HCD endeavors to do business with firms sharing HCD's commitment to equal opportunity and will not do business with any firm that discriminates on the basis of race, religion, ancestry, age, gender, disability, medical condition or place of birth. Use **Attachment L**.

### **CEQA Documentation**

Proposed projects must complete the California Environmental Quality Act (CEQA) environmental review. County staff will assist with preparation of CEQA documentation and a completed review must be submitted prior to funding. HCD staff will keep applicants apprised of the progress of the environmental processing and anticipated date of HUD's release-of-funds.

### **Relocation Noticing**

Upon submission of the NSP NOFA application, tenants must receive a written General Information Notice (if applicable), notifying tenants of their rights under the Uniform Relocation Act, as revised. New rental applicants to the proposed project must also receive a written notification “Notice to Prospective Tenant” informing them of the proposed acquisition/rehabilitation of the property. All notices must be hand delivered or sent via U.S. Certified Mail. Developer must document the manner of delivery and provide proof of receipt. Please contact HCD staff at (858) 694-8741 for more information.

## REQUIREMENTS FOR FUNDING

The following items are required prior to funding.

### **Affirmative Fair Housing Marketing Plan**

For housing development projects, the contractor must submit an Affirmative Fair Housing Marketing Plan (AFHMP) for review and approval by HCD. The AFHMP shall outline methods of informing potential tenants about fair housing laws and contractor policies. An AFHMP must also contain a description of what the contractor will do to affirmatively market assisted units. In addition, an AFHMP must contain a description of what the contractor will do to inform persons not likely to apply for housing without special outreach. To request a model AFHMP contact Bonnie Petrach by email at [Bonnie.Petrach@sdcounty.ca.gov](mailto:Bonnie.Petrach@sdcounty.ca.gov) or call (858) 694-8740.

### **Copies of Senior Loan Documents**

### **Environmental Review**

From the time the application has been submitted, the contractor must not commit funds or take any choice limiting actions (including, but not limited to, contracts for, excavation, filling, construction, rehabilitation, or other physical activities) until completion of the environmental processing and HUD's formal Release-of-Funds, regardless of whether the work would be accomplished with federal funds or other matching funds. Failure to comply will jeopardize the availability of HUD funds for the project. An environmental review must be completed before County HCD will execute a contract. County HCD staff conducts this review using information provided in the application. Refer to "Environmental Review Processing" in **Attachment D** for further information on environmental processing.

### **General Liability Insurance**

Funding recipients will be required to obtain comprehensive general liability insurance with the County of San Diego named as an additional insured. Also required is property insurance in an amount equal to 100 percent of the replacement cost of the structure, with a lender's loss payable endorsement in favor of the County of San Diego. The general contractor for the project must obtain comprehensive general liability insurance with the County of San Diego named as an additional insured. There may be additional insurance requirements, at the discretion of the County Risk Manager, depending on the complexity and scope of the proposed project. (See **Attachment N** for standard County Insurance requirements).

### **Lender's Insurance Policy**

A California Land Title Association (CLTA) or an American Land Title Association (ALTA) policy insuring the County of San Diego is required.

### **Management Plan**

The developer will be required to submit a Management Plan for review and approval by County HCD. The applicant's attention is called to the HCD requirement for a crime-free element in the Management Plan (as described on page 7). Also required is a copy of the sample lease agreement and any addenda. (Use the Checklist in **Attachment P**)

**Payment and Performance Bond**

Prior to execution of the loan documents for construction or major rehabilitation, funding recipients will be required to file with the County two surety bonds: a payment bond in an amount equal to one hundred percent (100%) of the Construction Contract cost, as determined from the prices in the bid form; and, a performance bond in an amount equal to one hundred percent (100%) of the Construction Contract cost, as determined from the prices in the bid form.

**Preliminary Title Report**



# **NOFA Application**

## APPLICATION CHECK LIST

*Please complete the following checklist and submit this form with the application.*

All pages 8.5 x 11 inches

One master copy (in binder) and one copy; both signed.

### General Requirements for Submittal

- ☐ Project Summary and Attachments (pages 17-65)
- ☐ Development Forms (Rental Income Form, Operating Expense, Development Cost, Sources and Uses of Funds, Multi-year Cash Flow and Development Pro Forma)

### ATTACHMENTS:

- ☐ Articles of Incorporation and By Laws
- ☐ Audited Financial Statements/Single Audit (less than 1 year old)
- ☐ Board Resolution
- ☐ Certifications:
  - For CBDOs, a copy of CBDO certification
  - For CHDOs, a copy of CHDO certification
  - For nonprofit organizations, proof of 501(c)(3) status and an up-to-date roster of the applicant's board of directors.
- ☐ Community Review Documentation (if applicable)
- ☐ Crime Free Multifamily Housing Element
- ☐ Developer Disclosure Statement
- ☐ Evidence of Compliance with Previous HCD Loans
- ☐ Evidence of Funding Source Commitments (if applicable)
- ☐ Evidence of site control
- ☐ Hazardous Waste Assessment
- ☐ Location map, site plan, floor plan, photos
- ☐ MAI Appraisal, dated within 60 days of the final purchase offer
- ☐ Partnership Agreement (if applicable)
- ☐ Rehabilitation Estimate (including any required testing of major building systems that may be required)
- ☐ Relocation Plan and Relocation Contract
- ☐ Replacement Reserve Analysis
- ☐ Schedule and Analysis of Real Estate Owned
- ☐ Tenant Characteristics Form
- ☐ Project Timeline
- ☐ "As-Built" Appraisal for New Construction proposals
- ☐ Certificate of Compliance with HCD Equal Opportunity Program
- ☐ CEQA Environmental Review (if applicable)
- ☐ Testing for asbestos, lead and residual pesticides (If applicable)
- ☐ Relocation Noticing (if required)
- ☐ Affirmative Fair Housing Marketing Plan
- ☐ General Liability Insurance
- ☐ Lender's Insurance Policy
- ☐ Management Plan
- ☐ Payment and Performance Bond
- ☐ Preliminary Title Report

The proposal and its submittals have been reviewed for completeness using the checklist above.

Authorized Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

## **Project Summary:**

Project Name:	
Name of Applicant:	
Applicant Address:	
Contact Name:	
Phone:	Fax:
Email:	
Organizational Status (Check all that apply):	
<input type="checkbox"/> Nonprofit <input type="checkbox"/> CHDO/CBDO <input type="checkbox"/> Private Entity <input type="checkbox"/> Public Entity	
Project Address:	
Assessor's Parcel Number (APN):	
Amount of HCD Funds Requested:	
Number of Units:	
Number of Bedrooms:	
Total Project Cost:	
Total Per Unit Cost:	
Total Per Bedroom Cost:	
Total HCD Subsidy Per Restricted Unit:	
Total HCD Subsidy Per Restricted Bedroom:	
Percentage of Area Median Income of Restricted Units	At or below 50% AMI _____
Estimated Rent Range per unit (Use Attachment B):	Market Rents (from appraisal):
1 Bedroom	
2 Bedroom	
3 Bedroom	
4 Bedroom	
Other (specify)	
Number of Currently Occupied Units:	
Income Level of Current Households:	
Number of Potential Relocation Households:	
Expected Date of:	
Acquisition:	
Rehabilitation/Construction:	
Occupancy:	

## **General Project Information**

### **Attach pages as necessary to describe the following:**

All proposals should include a map, preliminary site plan (if applicable), photos, and floor plans of the property.

Provide a detailed description of the existing site, the proposed project for which funds are being requested, and implementation schedule. In addition, address the following questions, as appropriate:

- (1) Will the project require the relocation of any households or businesses? If so, describe the circumstances and attach a relocation plan and relocation consultant contract to the application.
- (2) How accessible is the project to public transportation, concentrated areas of job opportunities, convenience shopping, food shopping, public schools, etc.?
- (3) Describe the availability of, and accessibility to, medical care (e.g. - emergency, outpatient, acute, and extended care) and social services that are commonly needed for the type of residents to be served the project.
- (4) Describe what target area(s) your activity will serve.
- (5) How the project is consistent with the project site zoning and the community's General Plan?
- (6) Describe all Community Planning/Sponsor Group action related to this project.
- (7) List all necessary land use, zoning, and building plan approvals and their status.

Address the following questions, as appropriate:

- (1) How will the project maintain, increase, or improve housing affordability or the provision of services? What service(s) will be provided and how will they be provided?
- (2) Are there other housing developments, facilities, or services that address the same need in the area?
- (3) How will the project promote the coordinated delivery of housing and/or support services?
- (4) If the project will be offering services to non-residents, how will you assure that all areas served have access to the services?
- (5) How will the project empower families and individuals toward greater self-sufficiency?

Include an outline of the project's Crime Free Multifamily Housing Program.

## **Targeting**

### **Attach pages as necessary to describe the following:**

"Low-income households" encompasses both individuals and families.

Housing serving families, senior households or special needs populations will be given particular consideration in the rating of proposals. In addition, housing applications that include amenities for youth are encouraged.

Below are definitions of special needs and disabled populations:

“Special needs” populations include disabled households, agricultural workers, victims or survivors of domestic or physical abuse, homeless persons or persons at risk of becoming homeless, frail elderly, chronically ill persons including those with HIV/AIDS, displaced teenage parents (or expectant teenage parents), emancipated foster youth and individuals exiting from institutional settings.

“Special needs” populations also include persons in need of “safe housing”: the provision of a sober living environment for recovering parents undergoing substance abuse treatment along with their children.

“Disabled” households is defined as a household in which a member is suffering from an orthopedic disability impairing personal mobility or a physical disability affecting his or her ability to obtain employment, or in which a person requires special care or facilities in the home; an individual or a household in which a member suffers from a developmental disability or a mental disorder which would render him or her eligible to participate in programs of rehabilitation or social services conducted by or on behalf of a public agency.

Indicate the number of units targeted for the categories indicated in the table below:

Population Served	Large Families (3 or more bedrooms)	Small Families (2 or fewer bedrooms)	Seniors	Special Needs	Mobility and/or sensory impaired
No. of Units					

### **Applicant Experience**

**Attach pages as necessary to describe the following:**

#### **A. Organization**

Describe the following for the organization:

1. Mission Statement
2. Past activities/experience
3. Administrative structure

#### **B. Technical Capacity**

1. Describe the organization’s capability to administer the proposed project and the timeframe for completion. Identify key tasks and completion dates that identify how your project is ready to proceed.
2. Describe the development team’s experience in rehabilitation, construction, and/or management and ownership.
3. Describe the outreach and service delivery methods that will be used to reach the target program participants, and how you will market the homes acquired with NSP funds to qualified individuals or families.
4. Attach resumes of staff and consultants specifically assigned to this development and describe contractual relationship.

\_\_\_\_\_ Number of rental housing developments/units completed.

\_\_\_\_\_ Number of rental housing developments/units currently owned.

\_\_\_\_\_ Number of rental housing developments/units currently managed.

\_\_\_\_\_ Number of rental housing developments/units in development phase (funding committed but not ready for occupancy)

- C. In accordance with Board Policy B-39a, all recipients must adopt a policy to ensure that every effort is made to provide equal opportunity to Disabled Veterans Business Enterprises (DVBES) and to encourage the participation of minority and women business vendors, contractors, and subcontractors. Attach the adopted Policy.

### **Financial Feasibility**

**Attach pages as necessary to explain the following:**

NSP funds will be provided as a loan, payment of interest will not be required, and it may be forgivable after 15 years, providing all NSP loan terms are met. Project sources and uses of funds must be consistent, accurate, justified and well documented. Describe other funding sources and their terms, and the status of those commitments to the proposed development. HCD must be advised if Applicant will be requesting that HCD subordinate financial interests and /or regulatory agreements to other lenders or loans on this project.

Discuss measures to be taken to promote energy efficiency in the proposed development. An Energy Efficiency-Based Utility Allowance (EEBUA) schedule is available to qualified projects. Please indicate if you plan to utilize the Energy Efficiency-Based Utility Allowance schedule.

Describe any in-kind contributions to the project. Include the name(s) of the contributors, the items or services that are being contributed and the value of the contribution.

If funding for the proposed project is in part dependent upon the award of the State of California Low Income Housing Tax Credit Program or one of the State of California, Department of Housing and Community Development, housing programs, describe how the project will be implemented in the event State funding is denied. Be specific as to amount, sources, likelihood, and timing of alternative funding, as well as how the project will be scaled down, if necessary.

### **Collaboration & Site Amenities**

**Attach pages as necessary to explain the following:**

Describe the extent to which the proposed development will involve other community organizations.

Describe any amenities or programs that may be beneficial to the development's residents.

### **Innovation**

**Attach pages as necessary to explain the following:**

Describe the extent to which the proposed development involves a new or innovative approach (either physical, financial, or managerial) to meet the housing needs of very low-income and low-income residents.

## **Certification**

**The undersigned certifies under penalty of perjury that all statements made in this proposal are true and correct to the best of the undersigned's knowledge.**

Authorized Signature [Board Officer]

Typed Name

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Title

Date Signed

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Return one original and one signed copy of the NSP NOFA Application and Attachments to:

**Department of Housing and Community Development  
County of San Diego  
Attn: Community Development Division  
3989 Ruffin Road  
San Diego, CA 92123-1890**

## **NOFA ATTACHMENTS**



## **ATTACHMENT A**

### ***FUNDING SOURCE***

#### Neighborhood Stabilization Program Summary Statement (NSP)

The Neighborhood Stabilization Program (NSP), authorized under Title III of the Housing and Economic Recovery Act of 2008 enacted July 30, 2008, appropriated \$3.92 billion of Community Development Block Grant (CDBG) funds nationwide. The program is administered through the U.S. Department of Housing and Urban Development (HUD). NSP provides entitlement grants to state or local jurisdictions to help stabilize neighborhoods significantly impacted by the housing crisis. In general, HUD considers these funds Community Development Block Grant (CDBG) funds and the regulations under 24 CFR part 570 are applicable. For more information please see:

<http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/> or contact HCD staff at (858) 694-8741.

#### Community Development Block Grant Program Summary Statement

The Community Development Block Grant Program (CDBG) is a federal block grant program created by Congress. CDBG-funded projects must provide an appropriate benefit to Urban County residents, as well as satisfy one of three national program objectives: (1) Provide a benefit to low and moderate income persons; (2) Prevent or eliminate slums and blight; or (3) Meet needs having a particular urgency. The County of San Diego Board of Supervisors allocates the County's CDBG entitlement to various expenditure categories during the strategy public hearing. With regard to the CDBG regulations on housing development, acquisition and rehabilitation are explicitly stated as eligible activities. However, other types of housing activities, such as new construction or pre-development activities are only eligible when carried out by a Community-Based Development Organization (CBDO). CBDO's are defined in the CDBG regulations at 24 CFR 570.204. For more information, please see: [http://a257.g.akamaitech.net/7/257/2422/12feb20041500/edocket.access.gpo.gov/cfr\\_2004/aprqtr/pdf/24cfr570.204.pdf](http://a257.g.akamaitech.net/7/257/2422/12feb20041500/edocket.access.gpo.gov/cfr_2004/aprqtr/pdf/24cfr570.204.pdf) or contact HCD staff at (858) 694-8724.

## ATTACHMENT B

### HOME RENTS FOR NSP ASSISTED PROJECTS

Every HOME-assisted unit is subject to rent controls called "HOME rents." For properties of five or more units, there are two HOME rents established for every project: "High HOME rents" and "Low HOME rents." Refer to Home Investments Partnership Program Regulations at 24 CFR 92.252 for a full definition. For a full description, please refer to the HUD website at <http://www.hud.gov/offices/cpd/affordablehousing/lawsandregs/regs/home/subf/92252.cfm>.

Note: the chart below (which discuss home program "low home rents") are for gross housing costs, from which utility allowances must be subtracted to calculate net rent to owner. See **Attachment F** for the current utility allowances.

#### A. "Low HOME Rents":

"HUD-published HOME rents" which are 30% of adjusted (for family size) income for households at 50% of area median income, minus tenant-paid utilities.

<b>"LOW HOME RENTS":</b> <i>(as of February 2008)</i>	<b>0 Bd</b>	<b>1 Bd</b>	<b>2 Bd</b>	<b>3 Bd</b>	<b>4 Bd</b>	<b>5 Bd</b>
"HUD-Published HOME Rent" @50% of Median Income Limit= <b>Minus Utilities Deduction from Attachment B=</b> Net Rents After Subtracting Utilities Deduction	\$691	\$740	\$888	\$1026	\$1145	\$1264

- B.** Based on future HUD calculations, "HOME rents" may increase or decrease over the required affordability term. HOME rents could decrease but project rents are not required to fall below the HOME rent limits in effect at the time of project commitment.

**ATTACHMENT C**  
**PROJECT TIMELINE**

Project Title: \_\_\_\_\_ Applicant: \_\_\_\_\_

<u>Item</u>	<u>Projected Date of Completion</u>
<b>SITE</b>	
Environmental Review Completed	_____
Site Acquired	_____
<b>LOCAL PERMITS</b>	
Conditional Use Permit	_____
Variance	_____
Site Plan Review	_____
Grading Permit	_____
Building Permit	_____
<b>CONSTRUCTION FINANCING</b>	
Loan Application	_____
Enforceable Commitment	_____
Closing and Disbursement	_____
<b>PERMANENT FINANCING</b>	
Loan Application	_____
Enforceable Commitment	_____
Closing and Disbursement	_____
<b>OTHER LOANS AND GRANTS</b>	
Type and Source: _____	_____
Application	_____
Closing or Award	_____
Funds Available	_____
<b>OTHER LOANS AND GRANTS</b>	
Type and Source _____	_____
Application	_____
Closing or Award	_____
Funds Available	_____
<b>OTHER LOANS AND GRANTS</b>	
Type and Source _____	_____
Application	_____
Closing or Award	_____
Funds Available	_____

**OTHER LOANS AND GRANTS**

Type and Source \_\_\_\_\_  
Application \_\_\_\_\_  
Closing or Award \_\_\_\_\_  
Funds Available \_\_\_\_\_

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**OTHER LOANS AND GRANTS**

Type and Source: \_\_\_\_\_  
Application \_\_\_\_\_  
Closing or Award \_\_\_\_\_  
Funds Available \_\_\_\_\_

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**OTHER LOANS AND GRANTS**

Type and Source: \_\_\_\_\_  
Application \_\_\_\_\_  
Closing or Award \_\_\_\_\_  
Funds Available \_\_\_\_\_

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**10% OF COSTS INCURRED**

Construction Start \_\_\_\_\_  
Construction Completion \_\_\_\_\_  
Placed In Service \_\_\_\_\_

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**Occupancy of All Low-Income Units**

## **ATTACHMENT D**

### ***PERTINENT REGULATORY REQUIREMENTS***

Numerous federal, state and local laws, regulations and/or executive orders apply to NSP and CDBG/HOME funded activities. These are referenced within a Program “Certifications” form, which are signed and submitted each year by the grant recipient (County of San Diego) to the U.S. Department of Housing and Urban Development (HUD). It states that the County will comply with all regulatory requirements. Copies can be procured from HUD.

The following miscellaneous listing is provided to clarify requirements that have sometimes been overlooked or misunderstood, leading to regulatory violations.

THIS IS NOT A COMPLETE LISTING OF PROGRAM REQUIREMENTS.

#### **1. Affordability**

All County-assisted NSP rental housing units must be affordable, at the initial point of eligibility, to households at or below 50% of the area median income (AMI). *See Page 4 for these income limits and Attachment B for Low HOME rent limits.*

#### **2. Environmental Review Processing**

Prior to the formal commitment of any funds, all funded projects must be processed in accordance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements. These regulations examine the impact of land development on the environment. In addition, federal assistance carries with it environmental review responsibilities to determine hazards which may impact a proposed CDBG or HOME project and its residents/clients, such as noise impacts.

From the time the application is submitted, the contractor must not commit funds or take any choice limiting actions (including, but not limited to, contracts for excavation, filling, construction, rehabilitation, or other physical activities) until completion of the environmental processing and HUD’s formal release-of-funds, regardless of whether the work would be accomplished by federal funding or other matching funds.

San Diego County Environmental Services staff will complete the NEPA review for all Urban County projects. They will also complete the CEQA review for projects located in the unincorporated parts of the County. Projects located in any of the six cities within the Urban County must involve the local jurisdiction in the CEQA review process. HCD staff will keep applicants apprised of the progress of environmental processing and the anticipated date of HUD's release-of-funds.

#### **3. Hazardous Waste Assessment**

A housing development proposal (acquisition, rehabilitation, or new construction) must have, at a minimum, an approved Phase I Hazardous Waste Assessment Report. This report is to be submitted with the NOFA application. A hazardous materials (asbestos, lead paint) inspection report may also be required. In addition, testing for asbestos, residual pesticides, mold, and water may be required. In certain situations, a Phase II and Phase III Environmental Assessment may be necessary. Time requirements for these reviews vary substantially, depending upon the potential for environmental impact. Please note that additional expenses may be incurred in preparing these required reviews. The NOFA applicant is responsible for these costs.

#### 4. Equal Opportunity & Fair Housing Requirements

In accordance with Board Policy B-39a, all recipients must adopt a policy to ensure that every effort is made to provide equal opportunity to Disabled Veterans Business Enterprises (DVBES) and to encourage the participation of minority and women business vendors, contractors, and subcontractors. Once funding is approved, the developer is also required to submit an Affirmative Fair Housing Marketing Plan for review and approval. To request a model AFHMP contact Bonnie Petrach by email at [Bonnie.Petrach@sdcounty.ca.gov](mailto:Bonnie.Petrach@sdcounty.ca.gov) or at (858) 694-8709.

#### 5. Section 3 Compliance

All recipients, sub-recipients, contractors and sub-contractors administering or working on projects funded through this NOFA must comply with Section 3 regulations. The purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that employment and other economic opportunities generated by HUD financial assistance are directed to lower-income workers/trainees, and to businesses which provide economic opportunities to lower-income persons. Lower-income persons who are residents of San Diego County are defined as Section 3 Residents. Preference should be given to hiring Section 3 Residents and to awarding contracts that benefit Section 3 Businesses from the neighborhood receiving the financial assistance. Contractors are required to complete Section 3 forms.

Additional detail and instructions are available from County HCD Staff at (858) 694-4805 or by email at [Jaclyn.Borillo@sdcounty.ca.gov](mailto:Jaclyn.Borillo@sdcounty.ca.gov).

#### 6. Relocation

NOFA applications involving relocation of residents or businesses shall include an anti-displacement/relocation plan in compliance with relocation laws. Either the California Relocation Assistance Act or the Uniform Acquisition and Relocation Act of 1970 (URA) as revised and Section 104(d) of the Housing and Community Development Act of 1974, as amended, may apply. Proposed relocation plans must budget for all tenant relocation and displacement costs, including costs for temporary relocation during construction or rehabilitation. Relocation Plans must also include a current copy of rent rolls detailing, family income, household characteristics, and current rent paid by each household in the proposed project.

For voluntary acquisitions, developer must prepare and deliver a Voluntary Acquisition Notice to the seller prior to making an offer and entering into a purchase and sale agreement. The developer must get acknowledgement from seller that transaction is purely voluntary.

Completion of tenant noticing, as appropriate, is necessary prior to development approval. Upon submission of the NOFA application, owners/tenants must receive a written General Information Notice, from the developer, notifying owners/tenants of their rights under the Uniform Relocation Act. New rental applicants to the proposed project must also receive a written Notice to Prospective Tenant informing them of the proposed acquisition/rehabilitation of the property. All notices must be hand delivered or sent via U.S. Certified Mail. Developer must document the manner of delivery and provide proof of receipt.

Contact County HCD staff at (858) 694-8741 or by email at [Tom.Dlugo@sdcounty.ca.gov](mailto:Tom.Dlugo@sdcounty.ca.gov), if any step in the project requires the relocation of any residents or businesses. Information regarding the Uniform Acquisitions and Relocation Act (URA) as revised, for U.S. Department of Housing and Urban Development Programs; and Section 104(d) of the Housing and Community Development Act of 1974 can be obtained by contacting County HCD at (858) 694-8741.

#### 7. Conflict of Interest

Strict federal and state non-conflict of interest laws and regulations apply to all County and/or sub-recipient agency (i.e., participating cities, districts, non-profit agencies, etc.) staff who are engaged in implementing

funded activities. In brief, these requirements prohibit all County and/or sub-recipient agency staff, their families, or family/business ties from obtaining any financial interest in a funded contract if they participated in or had inside information about the contract, for up to a year after their tenure.

The full text of these requirements is detailed and penalties allowed for violations are severe.

#### 8. Approval of Contractors

All construction contractors and sub-contractors must be approved by County HCD. Project-implementing agencies must verify this approval before awarding the construction contract. Information regarding the Federal Debarred Contractors List is available at <http://epls.arnet.gov/servlet/EPLSSearchMain/1>.

#### 9. Prevailing Wage Rates

The Davis-Bacon Wage Act (40 U.S.C. 276a – 276a-5) requires the payment of wages to laborers and mechanics at a rate not less than the minimum wage specified by the U.S. Secretary of Labor. CDBG and HOME projects must comply when:

- CDBG: Residential property rehabilitation is for eight (8) or more units or new construction costs exceed \$2,000; or,
- HOME: The rehabilitation or new construction is for twelve (12) or more HOME-funded units.

The U.S. Secretary of Labor's wage determinations are available upon request. Information on prevailing wage requirements is also available by contacting County HCD at (858) 694-8741.

#### 10. Volunteer Labor

Volunteer labor may only be used to implement funded projects in very limited circumstances, in accordance with Federal Labor Standards, Davis-Bacon Act requirements, California State law and with the approval of HUD, County HCD and (in some instances) the California Director of Industrial Relations. County HCD staff must, therefore, be advised early if volunteer labor is to be used so that a determination can be made as to whether the project meets the applicable criteria.

#### 11. Competitive Bidding Requirements

Agencies implementing projects must obtain competitive bids or estimates for all materials purchased and work to be accomplished by contractors or sub-contractors. Documentation of such competition must be maintained for review by HUD staff during monitoring visits.

In order for work to be accomplished by construction contractors or sub-contractors, a formal Request for Bids (RFB) package and advertisement must be prepared and pre-approved by County HCD staff. The RFB package must include required federal labor standards and current Davis/Bacon Act wage rates.

#### 12. Pre-construction Conference

A "pre-construction conference" must be held with the bid winning contractor and listed sub-contractors following contract award and before commencement of construction. The pre-construction conference must announce that Federal Labor Standards and Davis-Bacon Act requirements apply, and that contractors must submit copies of weekly payrolls to the assigned project manager for verification that appropriate wage rates were paid. In addition, the preconstruction conference must announce that the requirements of Section 3 apply. The project administrator must promptly review all such payrolls upon receipt, sign and date the payroll following verification, and maintain such payrolls on file for review by HUD monitoring staff during

monitoring visits. Minutes of the pre-construction conference that document the discussion of federal regulations must be kept in the project files.

### 13. Construction Employee Interviews

Interviews must be conducted by implementing project administrators for a sample of construction employees of funded construction projects sometime during the construction work to verify that actual wage rates paid comply with reported wages.

### 14. Accessibility

Housing developments assisted with CDBG or HOME funds must comply with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act, and HUD's implementing regulations, which prohibit discrimination, based on disability and establish requirements for program accessibility and physical accessibility in housing programs. Section 504 includes requirements that in new construction developments a minimum of 5 percent of the housing units, but not less than one unit, must be accessible to residents with mobility impairment, and an additional 2 percent of the units, but not less than one unit, must be accessible to residents with visual and/or hearing impairment. This standard also applies to rehabilitation in developments of 15 or more units, when total cost of rehabilitation is 75 percent or more of the total replacement value of the improvements, as determined by HUD.

The Fair Housing Act applies whether the building is privately or publicly constructed and owned. The Act, among other things, establishes seven design standards for all newly constructed, multifamily housing of four or more units, which were ready for first occupancy on or after March 13, 1991. The Act requires that all units on floors served by elevators, and all ground floor units in a non-elevator building with four or more units, be accessible to persons with disabilities.

### 15. Energy Efficiency

Proposals involving construction of new housing are expected to contain descriptions of specific measures that will be taken to make the units energy efficient. An Energy Efficiency-Based Utility Allowance (EEBUA) schedule is available to qualified projects. Contact HCD staff at (858) 694-8741 for more information.

### 16. Lead-Based Paint Hazard Reduction Requirements

New lead-based paint regulations, effective September 15, 2000, were issued under Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, which are Title 10 of the Housing and Community Development Act of 1992. They appear in Title 24 of the Code of Federal Regulations as Part 35 (24 CFR 35). Any project for which federal funds are being obligated or committed after September 15, 2000 must comply with these regulations.

The regulations set hazard reduction requirements that give much greater emphasis to reduction of lead in house dust than did previous regulations. Scientific research has found that exposure to lead in dust is the most common way young children become lead poisoned. For this reason the new regulations require dust testing after paint is disturbed to ensure that homes are lead-safe. Specific requirements depend on whether the housing is being disposed of or assisted by the federal government, and also on the type and amount of financial assistance, age of the structure, and whether the dwelling is a rental or is owner-occupied.

If the application is for housing covered by the regulations below, the application's budget must include anticipated costs associated with lead-based paint hazard reduction. There are no separate funds available in the NOFA for lead-based paint reduction activities. Further information on lead-based paint hazard reduction can be obtained from the HUD Office of Lead Hazard Control at (202) 755-1785 or by email at <http://www.hud.gov/lea/leahome.html>.



A summary of lead hazard reduction requirements for various types of housing programs is on the following pages. Below is a description of the types of housing covered and not covered by the regulations.

- Types of housing covered include: a) Federally-owned housing being sold; b) Housing receiving a federal subsidy that is associated with the property, rather than with the occupants (project-based assistance); c) Public Housing; d) Housing occupied by a family (with a child) receiving a tenant-based subsidy (such as a voucher or certificate); e) Multifamily housing for which mortgage insurance is being sought; and, f) Housing receiving federal assistance for rehabilitation, reducing homelessness, and other special needs.
- Types of housing not covered include: a) Housing built since January 1, 1978, when lead paint was banned for residential use; b) Housing exclusively for the elderly or people with disabilities, unless a child under age 6 is expected to reside there; c) Zero-bedroom dwellings, including efficiency apartments, single-room occupancy housing, dormitories, or military barracks; d) Property that has been found to be free of lead-based paint by a certified lead-based paint inspector; e) Property where all lead-based paint has been removed; f) Unoccupied housing that will remain vacant until it is demolished; g) Non-residential property; h) Any rehabilitation or housing improvement that does not disturb a painted surface; and, i) Emergency homeless assistance, unless the assistance lasts more than 100 days, in which case the rule does apply.

**NOTE: Clearance is always required after abatement, interim controls, paint stabilization, or standard treatments.**

<b>Subpart of Rule/Type Program</b>		<b>Construction Period</b>	<b>Requirements</b>
A.	Disposition by Federal Agency other than HUD	Pre-1960	<ul style="list-style-type: none"> <li>• LBP inspection and risk assessment.</li> <li>• Abatement of LBP hazards.</li> <li>• Notice to occupants of inspection/abatement results.</li> </ul>
		1960-1977	<ul style="list-style-type: none"> <li>• LBP inspection and risk assessment.</li> <li>• Notice to occupants of results.</li> </ul>
B.	Project-Based Assistance by Federal Agency other than HUD	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants of results.</li> <li>• Response to EBL child.</li> </ul>
C.	HUD-Owned Single Family Sold with a HUD-Insured Mortgage	Pre-1978	<ul style="list-style-type: none"> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants of clearance.</li> </ul>
D.	Multifamily Mortgage Insurance		
	1. For properties that are currently residential	Pre-1960	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> </ul>
		1960-1977	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Ongoing LBP maintenance.</li> </ul>
	2. For conversions and major renovations	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• LBP inspection.</li> <li>• Abatement of LBP.</li> <li>• Notice to occupants.</li> </ul>
E.	Project-Based Assistance (HUD Program)		
	1. Multifamily property Receiving more than \$5,000 per unit per year	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance and reevaluation.</li> <li>• Response to EBL child.</li> </ul>

<b>Subpart of Rule/Type Program</b>		<b>Construction Period</b>	<b>Requirements</b>
	2. Multifamily property – receiving less than or equal to \$5,000 per unit per year, and single family properties	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> <li>• Response to EBL child.</li> </ul>
F.	HUD-Owned Multifamily Property	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• LBP inspection and risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> <li>• Response to EBL child.</li> </ul>
G.	Rehabilitation Assistance		
	1. Property receiving less than or equal to \$5,000 per unit	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Paint testing of surfaces to be disturbed, or presume LBP</li> <li>• Safe work practices in rehab.</li> <li>• Repair disturbed paint.</li> <li>• Notice to occupants.</li> </ul>
	2. Property receiving more than \$5,000 and up to \$25,000	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Paint testing of surfaces to be disturbed, or presume LBP</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance if HOME or CILP.</li> </ul>
	3. Property receiving more than \$25,000 per unit	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Paint testing of surfaces to be disturbed, or presume LBP.</li> <li>• Risk assessment.</li> <li>• Abatement of LBP hazards.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> </ul>
H.	Acquisition, Leasing, Support Services, or Operation	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> </ul>

<b>Subpart of Rule/Type Program</b>		<b>Construction Period</b>	<b>Requirements</b>
I.	Public Housing	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• LBP inspection.</li> <li>• Abatement of LBP.</li> <li>• Risk assessment if LBP not yet abated.</li> <li>• Interim controls if LBP not yet abated.</li> <li>• Notice to occupants.</li> <li>• Response to EBL child.</li> </ul>
J.	Tenant-Based Rental Assistance	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> <li>• Response to EBL child.</li> </ul>

LBP = Lead-Based Paint

EBL= Elevated Blood Level

**Allowances for  
Tenant-Furnished  
Utilities  
and Other Services**

**U.S. Department of Housing  
and Urban Development  
Office of Public and  
Indian Housing**

OMB Approval No. 2577-0169  
(exp. 9/30/2005)  
form HUD-52667  
ref. Handbook 7420.8

Department of Housing and Community Development 3989 Ruffin Rd., San Diego CA 92123-1890 Serving as the Housing Authority of the County of San Diego			Unit Type			Date (mm/dd/yyyy)	
Payment Standards (12/1/2006)	957	1092	1325	1932	2329	2678	3028
Fair Market Rent (10/1/2006)	870	993	1205	1757	2118	2435	2753
Utility Or Service Monthly Dollar Allowances (7/1/2007)	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Heating a. Gas/Other	4	6	7	9	11	13	15
b. Oil /Electric	4	6	7	9	11	13	15
Cooking a. Gas/Other	2	3	4	5	6	7	8
b. Oil/Electric	2	3	4	5	6	7	8
Basic Electricity	13	18	23	28	35	40	46
Air Conditioning	1	1	1	1	2	2	2
Water a. Gas/Other	8	12	15	18	23	27	30
Heating b. Oil / Electric	8	12	15	18	23	27	30
Water	20	28	37	45	57	65	74
Sewer	14	20	26	32	41	46	53
Trash Collection	19	19	19	19	19	19	19
Range/Microwave	2	2	2	2	2	2	2
Refrigerator	6	6	6	6	6	6	6
Flat Rate Water (any flat rate parks, apartments)	11	11	11	11	11	11	11
Flat Rate Sewer (any flat rate parks, apartments)	13	13	13	13	13	13	13
Flat Rate Trash (any flat rate parks, apartments)	12	12	12	12	12	12	12

**Mobilehome Owner:** PS = \$751 (12/1/06); FMR = \$683 (10/1/06)

<b>Actual Family Allowances</b> To be used by the family to compute allowance. Complete below for the actual unit rented.	Utility or Service	Per month cost
	Heating	
Name of Family	Cooking	
	Other	
	Electric	
	Water	
Address of Unit	Heating	
	Water	
	Sewer	
	Trash Collection	
	Range/Microw ave	
	Refrigerator	
Number of Bedrooms	Air Conditioning	
	Other	
	<b>Total</b>	\$

**ATTACHMENT F**  
**NSP TARGET AREAS**

**COUNTY OF SAN DIEGO**  
**NSP TARGET AREAS**

Assumed Community Name*	Census Tract	Block Group
ALPINE	021203	3
ALPINE	021204	2
BONITA	003207	2
BONITA	013410	2
BONITA	003207	1
BONSALL	018803	1
BOULEVARD	021100	3
CAMPO	021100	2
CAMPO	021100	1
DULZURA	021100	1
FALLBROOK	018903	4
FALLBROOK	018905	1
FALLBROOK	018904	1
FALLBROOK	018904	4
FALLBROOK	019101	1
FALLBROOK	018906	2
FALLBROOK	018905	3
FALLBROOK	018906	1
FALLBROOK	018904	3
FALLBROOK	018903	3
FALLBROOK	018905	2
IMPERIAL BEACH	010502	1
IMPERIAL BEACH	010502	3
IMPERIAL BEACH	010502	2
IMPERIAL BEACH	010402	2
IMPERIAL BEACH	010502	4
IMPERIAL BEACH	010401	1
IMPERIAL BEACH	010402	1
IMPERIAL BEACH	010300	1
IMPERIAL BEACH	010200	4
IMPERIAL BEACH	010300	2
IMPERIAL BEACH	010200	6
IMPERIAL BEACH	010300	3
JACUMBA/POTRERO	021100	4
JAMUL	021304	2
JAMUL	021303	1
LAKESIDE	016802	4
LAKESIDE	016804	2
LAKESIDE	016702	1
LAKESIDE	016804	3

LAKESIDE	016804	4
LAKESIDE	016901	4
LAKESIDE	016702	5
LAKESIDE	016804	1
LAKESIDE	016702	3
LAKESIDE	016806	1
LAKESIDE	016902	1
LAKESIDE	016810	1
LAKESIDE	016802	1
LEMON GROVE	014400	1
LEMON GROVE	014200	4
LEMON GROVE	014101	1
LEMON GROVE	014300	1
LEMON GROVE	014002	2
LEMON GROVE	014101	2
LEMON GROVE	014200	2
LEMON GROVE	014300	2
LEMON GROVE	014001	6
LEMON GROVE	014200	5
LEMON GROVE	014001	3
LEMON GROVE	014200	3
LEMON GROVE	014101	3
LEMON GROVE	014001	4
LEMON GROVE	014400	2
PAUMA VALLEY/MT. PALOMAR	019101	2
PINE VALLEY/GUATAY	020902	2
POWAY	017040	3
POWAY	017049	1
POWAY	017048	1
POWAY	017010	1
RAMONA	020806	2
RAMONA	020806	3
RAMONA	020808	1
RAMONA	020806	4
RAMONA	020807	2
RAMONA	020809	1
RAMONA	020808	2
RANCHITA	020903	1
SPRING VALLEY	013905	3
SPRING VALLEY	013907	2
SPRING VALLEY	013905	2
SPRING VALLEY	013909	1
SPRING VALLEY	013909	2
SPRING VALLEY	013905	4
SPRING VALLEY	003214	1
SPRING VALLEY	013905	1
SPRING VALLEY	013908	1
SPRING VALLEY	013908	2

SPRING VALLEY	013906	2
SPRING VALLEY	013802	1
SPRING VALLEY	013903	1
SPRING VALLEY	014002	3
SPRING VALLEY	003107	3
SPRING VALLEY	013505	2
SPRING VALLEY	003108	2
SPRING VALLEY	003108	1
SPRING VALLEY	013801	3
SPRING VALLEY	013907	1
SPRING VALLEY	013702	3
SPRING VALLEY	013503	1
SPRING VALLEY	013906	1
SPRING VALLEY	013503	2
SPRING VALLEY	013504	3
SPRING VALLEY	013504	1
SPRING VALLEY	013506	1
SPRING VALLEY	013702	1
SPRING VALLEY	013505	1
SPRING VALLEY	013503	4
SPRING VALLEY	013601	3
SPRING VALLEY	013601	2
VALLEY CENTER	019106	4
VALLEY CENTER	019107	1
VALLEY CENTER	019106	1
VALLEY CENTER	019103	2
VALLEY CENTER	019106	2

*Note: Where a block group had more than one community name, the dominant community is listed.*

[To find the Census Tract/Block Group for a specific property address, visit the American Fact Finder website at: http://factfinder.census.gov/, then click on Address Search.](http://factfinder.census.gov/)



## ATTACHMENT G-1

HUD Handbook 1378, Change 6  
Appendix 3, [10/06]

### GUIDEFORM GENERAL INFORMATION NOTICE RESIDENTIAL TENANT TO BE DISPLACED

Grantee or Agency Letterhead  
(date)

Dear \_\_\_\_\_:

\_\_\_\_\_, (City, County, State, Public Housing Authority (PHA), other) \_\_\_\_\_, is interested in \_\_\_\_\_ (acquiring, rehabilitating, demolishing) \_\_\_\_\_ the property you currently occupy at \_\_\_\_\_ (address) \_\_\_\_\_ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the \_\_\_\_\_ program.

The purpose of this notice is to inform you that you may be displaced as a result of the proposed project. This notice also serves to inform you of your potential rights as a displaced person under a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). You may be eligible for relocation assistance and payments under the URA, if the proposed project receives HUD funding and if you are displaced as a result of acquisition, rehabilitation or demolition for the project.

**This is not a notice to vacate the premises.**

**This is not a notice of relocation eligibility.**

If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to you find another place to live; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving expenses; and 4) Replacement housing payments to enable you to rent, or if you prefer to purchase, a comparable replacement home. You will also have the right to appeal the agency's determination, if you feel that your application for assistance was not properly considered. The enclosed HUD brochure, "Relocation Assistance To Tenants Displaced From Their Homes" provides an explanation of this assistance and other helpful information.

**(NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

**Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time.** If you are determined to be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event the proposed project does not proceed or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions about this notice or the proposed project, please contact (name) \_\_\_\_\_,  
(title) \_\_\_\_\_, (address) \_\_\_\_\_, (phone) \_\_\_\_\_.

Sincerely,

(name and title) \_\_\_\_\_

## ATTACHMENT G-2

HUD Handbook 1378, Change 6  
Appendix 2, [10/06]

### GUIDEFORM GENERAL INFORMATION NOTICE RESIDENTIAL TENANT NOT DISPLACED

Grantee or Agency Letterhead

(date)

Dear \_\_\_\_\_:

\_\_\_\_\_, (City, County, State, Public Housing Authority (PHA), other) \_\_\_\_\_, is interested in rehabilitating the property you currently occupy at \_\_\_\_\_ (address) \_\_\_\_\_ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the \_\_\_\_\_ program.

The purpose of this notice is to inform you that you will not be displaced in connection with the proposed project.

If the project application is approved and federal financial assistance provided, you may be required to move temporarily so that the rehabilitation can be completed. If you must move temporarily, suitable housing will be made available to you and you will be reimbursed for all reasonable out of pocket expenses, including moving costs and any increase in housing costs. You will need to continue to pay your rent and comply with all other lease terms and conditions.

Upon completion of the rehabilitation, you will be able to lease and occupy your present apartment or another suitable, decent, safe and sanitary apartment in the same building/complex under reasonable terms and conditions. \*

If federal financial assistance is provided for the proposed project, you will be protected by a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). One of the URA protections for persons temporarily relocated is that such relocations shall not extend beyond one year. If the temporary relocation lasts more than one year, you will be contacted and offered all permanent relocation assistance as a displaced person under the URA. This assistance would be in addition to any assistance you may receive in connection with temporary relocation and will not be reduced by the amount of any temporary relocation assistance previously provided. You will also have the right to appeal the agency's determination, if you feel that your application for assistance was not properly considered.

(NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

We urge you not to move at this time. If you choose to move, you will not be provided relocation assistance.

Please remember:

This is not a notice to vacate the premises.  
This is not a notice of relocation eligibility.

You will be contacted soon so that we can provide you with more information about the proposed project. If the project is approved, we will make every effort to accommodate your needs. In the meantime, if you have any questions about our plans, please contact:

(name) \_\_\_\_\_, (title) \_\_\_\_\_, (address) \_\_\_\_\_,  
(phone) \_\_\_\_\_.

Sincerely,

(name and title) \_\_\_\_\_

### ATTACHMENT G-3

#### GUIDEFORM

#### - NSP VOLUNTARY ACQUISITION OF FORECLOSED PROPERTY -

- Informational Notice -

(Agencies/Persons **Without** Eminent Domain Authority)

Grantee or Agency Letterhead

(date)

Dear \_\_\_\_\_:

(Name of Agency/Person) \_\_\_\_\_, is interested in acquiring property you own at (address) \_\_\_\_\_ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the Neighborhood Stabilization Program (NSP).

Please be advised that (Name of Agency/Person) \_\_\_\_\_ does not have authority to acquire your property by eminent domain. In the event we cannot reach an amicable agreement for the purchase of your property, we will not pursue this proposed acquisition.

Under the NSP, we are required to purchase foreclosed property at a discount from its current market appraised value. Our appraisal indicates the property's market value is \$ \_\_\_\_\_. We are prepared to offer you \$ \_\_\_\_\_ to purchase your property. This offer is less than the current market appraised value as required by the NSP. Please contact us at your convenience if you are interested in selling your property.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance. A tenant-occupant who moves as a result of a voluntary acquisition for a federally-assisted project may be eligible for relocation assistance. Such displaced persons may include not only current lawful occupants, but also former tenants required to move for any reason other than an eviction for cause in accordance with applicable federal, state, and local law. If your property is currently tenant-occupied or a tenant lawfully occupied your property within the past 3 months prior to our offer, we need to know immediately. Further, you should not order current occupant(s) to move, or fail to renew a lease, in order to sell the property to us as vacant.

If you have any questions about this notice or the proposed project, please contact (name) \_\_\_\_\_, (title) \_\_\_\_\_, (address) \_\_\_\_\_, (phone) \_\_\_\_\_.

## ATTACHMENT G-4

HUD Handbook 1378, Change 5  
Appendix 29, [01/06]

### MOVE-IN NOTICE (GUIDEFORM NOTICE TO PROSPECTIVE TENANT)

Grantee or Agency Letterhead  
(date)

Dear \_\_\_\_\_:

On     (date)    ,     (property owner)     submitted an application to the     (Grantee)     for financial assistance under a program funded by the Department of Housing and Urban Development (HUD). The proposed project involves [acquisition] [rehabilitation] [demolition] and/or [conversion] of the property located at     (address)    . Because Federal funds are planned for use in this project, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) [and/or section 104(d) of the Housing and Community Development Act of 1974, as amended] may apply to persons in occupancy at the time the application was submitted for HUD funding. However, if you choose to occupy this property subsequent to the application for federal financial assistance, as a new tenant you will not be eligible for relocation payments or assistance under the URA [and/or section 104(d)].

This notice is to inform you of the following information before you enter into any lease agreement and/or occupy the property located at the above address:

- ◆ You may be displaced by the project.
- ◆ You may be required to relocate temporarily.
- ◆ You may be subject to a rent increase.
- ◆ You will not be entitled to any relocation payments or assistance provided under the URA [and/or section 104(d)]. If you have to move or your rent is increased as a result of the above project, you will not be reimbursed for any such rent increase or for any costs or expenses you incur in connection with a move as a result of the project.

Please read this notification carefully prior to signing a rental agreement and moving into the project. If you should have any questions about this notice, please contact     (Grantee)     at     (address and telephone number)    . Once you have read and have understood this notice, please sign the statement below if you still desire to lease the unit.

Sincerely,

    (name and title)    

Please read this notification carefully prior to signing a rental agreement and moving into the project. If you should have any questions about this notice, please contact     (Grantee)     at     (address and telephone number)    . Once you have read and have understood this notice, please sign the statement below if you still desire to lease the unit.

NOTE: ACKNOWLEDGEMENT OF THIS NOTICE IS MANDATORY WITH EACH RENTAL AGREEMENT. ALL ADULT OCCUPANTS MUST SIGN.

NAME: \_\_\_\_\_ ADDRESS AND UNIT NUMBER: \_\_\_\_\_  
Print Name of Tenant

SIGNATURE (S): \_\_\_\_\_

ANNUAL INCOME: \_\_\_\_\_ HOUSEHOLD SIZE: \_\_\_\_\_

MOVE-IN DATE: \_\_\_\_\_

**ATTACHMENT H**  
***DEVELOPERS SEEKING LOAN***  
***(Referred to as "CONTRACTOR" herein)***  
***STATEMENT FOR PUBLIC DISCLOSURE***

1. Name of CONTRACTOR:
2. Address and Zip Code:
3. Telephone:
4. Name of Principal Contact for CONTRACTOR:
5. Federal Identification Number or Social Security Number of CONTRACTOR:
6. If the CONTRACTOR is not an individual doing business under his own name, the CONTRACTOR has the status indicated below and is organized or operating under the laws of California as:
  - \_\_\_\_\_ A corporation (Attach Articles of Incorporation)
  - \_\_\_\_\_ A nonprofit or charitable institution or corporation. (Attach copy of Articles of Incorporation, Bylaws, and documentary evidence verifying current valid nonprofit or charitable status.)
  - \_\_\_\_\_ A partnership known as: \_\_\_\_\_  
(Name)  
Check one
    - ☐ General Partnership (Attach statement of General Partnership)
    - ☐ Limited Partnership (Attach Certificate of Limited Partnership)
  - \_\_\_\_\_ A business association or a joint venture known as:  
\_\_\_\_\_ (Attach joint venture or business association agreement)
  - \_\_\_\_\_ A Federal, State or local government or instrumentality thereof.
  - \_\_\_\_\_ Other (explain)
7. If the CONTRACTOR is not an individual or a government agency or instrumentality, give date of organization:

8. Provide names, addresses, telephone numbers, title of position (if any) and nature and extent of the interest of the current officers, principal members, shareholders, and investors of the CONTRACTOR, other than a government agency or instrumentality, as set forth below:
- A. If the CONTRACTOR is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock.
  - B. If the CONTRACTOR is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
  - C. If the CONTRACTOR is a partnership, each partner, whether a general or limited, and either the percent of interest or a description of the character and extent of interest.
  - D. If the CONTRACTOR is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
  - E. If the CONTRACTOR is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

Name, Address and  
Zip Code

Position Title (if any) and  
percent of interest or description  
of character and extent of interest

(Attach extra sheet if necessary)

9. Has the makeup as set forth in Item 8(a) through 8(e) changed within the last twelve (12) months. If yes, please explain in detail.

10. Is it anticipated that the makeup as set forth in Item 8(a) through 8(e) will change within the next twelve (12) months? If yes, please explain in detail.

11. Provide name, address, telephone number, and nature and extent of interest of each person or entity (not named in response to Item 8) who has a beneficial interest in any of the shareholders or investors named in response to Item 8 which gives such person or entity more than a computed 10% interest in the CONTRACTOR (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the CONTRACTOR or more than 50% of the stock in the corporation which holds 20% of the stock of the CONTRACTOR):

Name, Address and  
Zip Code

Position Title (if any) and  
extent of interest

12. Names, addresses and telephone numbers (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 8 or Item 11 above:

13. If funds for the development/project are to be obtained from sources other than the CONTRACTOR's own funds, provide a statement of the CONTRACTOR's plan for financing the development/project:

14. Provide sources and amount of cash available to CONTRACTOR to meet equity requirements of the proposed undertaking:

A. In banks/savings and loans:

Name, Address & Zip Code of Bank/Savings & Loan:

Amount: \$

B. By loans from affiliated or associated corporations or firms:

Name, Address & Zip Code of Bank/Savings & Loan:

Amount: \$

C. By sale of readily salable assets/including marketable securities:

<u>Description</u>	<u>Market Value</u>	<u>Mortgages or Liens</u>
	\$	\$



**ATTACHMENT I**  
***EVIDENCE OF COMPLIANCE WITH PREVIOUS HCD LOANS***

**Part A (to be completed by Applicant)**

Project	Address	Total Funds	Purpose
1			
2			
3			
4			
5			
6			

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Part B - Affordability Restrictions (to be completed by HCD staff)**

The Project(s) listed above is/are in Compliance:    YES ☐    NO ☐

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Part C - Contract Monitoring (to be completed by HCD staff)**

The Project(s) listed above is/are current:    YES ☐    NO ☐

Annual Reports are submitted when due:    YES ☐    NO ☐

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Part D – Residual Receipts Payment Record (to be completed by HCD staff)**

Are Residual Receipts being received?    YES ☐    NO ☐

Year	Amount Projected	Amount Received
2008		
2007		
2006		
Any previous years:		

Comments:

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Signed: \_\_\_\_\_

Date: \_\_\_\_\_

# ATTACHMENT J

## TENANT CHARACTERISTICS FORM

PROJECT NAME: \_\_\_\_\_ BORROWER/DEVELOPER: \_\_\_\_\_ FUNDS (Please check): \_\_\_\_\_ HOME \_\_\_\_\_ CDBG \_\_\_\_\_ Other \_\_\_\_\_

**PART A: To be completed by the applicant. +See reverse side for codes to use when completing this form.**

Unit #	Tenant Name	Number of Bedrooms	Number of Occupants	Household Annual Income	Income Level ****	Income Source *****	Receive Sect 8? ***	Current Monthly Rent	Post- Rehab Rent	Ethnic Code *	Sex of Head of Household	Age of Head of Household	Handi- capped **	Occupants: Relationship by Sex & Age

(Please fill out additional sheets if necessary)

**(1) ETHNIC CODES (\*)**

Race-Head of Household

11-White

12-Black/African American

13-Asian

14-American Indian/Alaska native

15-Native Hawaiian/Other Pacific Islander

16-American Indian/Alaska Native and White

17-Asian and White

18-Black/African American and White

19-American Indian/Alaska Native and Black/African American

20-Other Multi Racial

**(2) HANDICAPPED CODES (\*\*)**

"H" = Hearing Impaired      "V" = Visually Impaired      "M" = Mobility Impaired

**(3) SECTION 8 ASSISTANCE (\*\*\*)**

If yes, please identify type: "C" = Certificate      "V" = Voucher

**(4) INCOME LEVELS (\*\*\*\*) (Area Median Income (AMI) Limits Effective March 19, 2009)**

CODE	Family Size:	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
"1"	Extremely Low (<30% AMI)	\$17,350	\$19,850	\$22,300	\$24,800	\$26,800	\$28,750	\$30,750	\$32,750
"2"	Very Low (50% AMI)	\$28,900	\$33,050	\$37,150	\$41,300	\$44,600	\$47,900	\$51,200	\$54,500
"3"	Low Income (80% AMI)	\$46,250	\$52,900	\$59,500	\$66,100	\$71,400	\$76,700	\$81,950	\$87,250

**(5) INCOME SOURCE (\*\*\*\*\*)**

Codes:      "1" = Earned Income (Head of Household)      "5"      Social Security

              "2" = Earned Income (Joint)      "6"      Retirement Income (Other Pensions/Annuities)

              "3" = Investment Income (Interest/Dividends)      "7"      Redistributed Income (Unemployment, Welfare, Disability, SSI)

              "4" = Earned Investment (Rental Income)

**ATTACHMENT K**  
**SAMPLE BOARD RESOLUTION**

[Letterhead of Applicant]

**RESOLUTION OF BOARD OF DIRECTORS**  
**OF**

---

WHEREAS, this entity has a minimum of four directors who constitute a quorum for conducting organization business; the organization conducts quarterly board meetings; quarterly financial statements are reviewed by the board; and, the executive director and other paid staff do not serve as voting board members;

WHEREAS, \_\_\_ is a \_\_\_\_\_ [Status of Corporation, i.e. A Nonprofit Public Benefit Corporation, qualified pursuant to the provisions of Internal Revenue Code Section 501 (c) (3), etc.];

WHEREAS, \_\_\_\_\_, recognizes that the community at large, and especially low-income residents have many diverse needs for social, housing, education and other services;

WHEREAS, \_\_\_\_\_, is committed to effectively serving the communities referenced in the prior recital; and

NOW THEREFORE BE IT RESOLVED as follows:

1. That \_\_\_\_\_ is committed to providing safe, decent and affordable housing for persons of very low, low and moderate-income levels;
2. That on or about \_\_\_\_\_ 200\_\_\_\_, the Board of Directors voted to authorize the \_\_\_\_\_ [title of person authorized], or his designee, to apply for and accept assistance of the Project located at \_\_\_\_\_ [address], for the purpose of obtaining financing and or a grant to provide for the \_\_\_\_\_  
\_\_\_\_\_[purpose, i.e. acquisition, rehabilitation, refinancing, tenant relocation, construction, etc.] of the Project, in an amount not to exceed \_\_\_\_\_ (\$\_\_\_\_\_) from the County of San Diego, Department of Housing and Community Development.
3. That the Board of Directors further voted to authorize the \_\_\_\_\_ [title of person], or his designee, to execute any and all documents required by the County of San Diego, Department of Housing and Community Development, including, without limitation, the Promissory Note, the Deed of Trust, the Regulatory Agreement, the Security

Agreement, the Development Agreement, the UCC Financing Statement, the Standard Agreement, Escrow Instructions, Disclosure Statements, and any and all other documents requested by the County of San Diego, Department of Housing and Community Development, to document and secure its loan and or grant.

4. That the Board of Directors further authorized the \_\_\_\_\_ [title of person], or his designee, to perform all acts and to do all things necessary, in the opinion of the County of San Diego, Department of Housing and Community Development to implement the funding and making of the Loan and/or Grant

I, the undersigned, certify that this Resolution was adopted at regularly or specially noticed meeting of the Board of Directors on \_\_\_\_\_, 200\_\_\_\_, at which a quorum of the Board of Directors was present, and at which the requisite percentage of the quorum voted to adopt the Resolution and that the Resolution has not been rescinded, modified or canceled as of the date of my execution of the same and that it remains in full force and effect as of this date. I further understand that the County of San Diego, Department of Housing and Community Development is relying on the validity of this Resolution in taking the actions to process and approve the application.

I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at San Diego, California.

By: \_\_\_\_\_

Title: \_\_\_\_\_

**ATTACHMENT L**  
***EQUAL OPPORTUNITY PROGRAM FOR CONTRACTORS DOING BUSINESS WITH THE  
COUNTY OF SAN DIEGO***

The County of San Diego is committed to an Equal Opportunity Program pursuant to applicable State and Federal laws and guidelines, which provide Equal Opportunity in all activities of the agency, including the employment of individuals and firms which contract with The County of San Diego.

**CERTIFICATE OF COMPLIANCE**

\_\_\_\_\_  
(Name of Contractor)

As an authorized official for the above named Contractor, I hereby certify by the signature affixed to this document that said firm will comply with Executive Order 11246, Title VII of the Civil Rights Act of 1964, as amended, the California Fair Employment Practices Act and any other applicable Federal and State laws as well as any other applicable local, state and federal Equal Opportunity Programs.

Further, I am submitting an acceptable Equal Employment Opportunity Plan. This plan will address the affirmative actions that will be taken by this Contractor to eliminate any discriminatory outreach or hiring practices, if they exist and to introduce outreach and hiring practices to maximize employment opportunities for all qualified individuals.

\_\_\_\_\_  
Name of Authorized Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

**ATTACHMENT M**  
***SCHEDULE AND ANALYSIS OF REAL ESTATE OWNED***

To be attached to and made a part of the loan application on property at \_\_\_\_\_

Dated: \_\_\_\_\_

PROPERTY ADDRESS	NO. UNITS	LENDER NAME AND ADDRESS	LOAN NO.	CURRENT BALANCE	MARKET VALUE	ANNUAL RENTAL	ANNUAL TAXES & INS.	ANNUAL EXPENSES	ANNUAL PRIN. INT. PYMT	CASH FLOW
		1st:								
		2nd:								
		1st:								
		2nd:								
		1st:								
		2nd:								
		1st:								
		2nd:								
		1st:								
		2nd:								
		1st:								
		2nd:								

**NOTE:** If ownership on any above is shared, list prorated amounts above and explain percent shared under remarks below.

REMARKS:

ANNUAL

Monthly



## ATTACHMENT N

### *SAMPLE HCD INSURANCE AND BOND REQUIREMENTS*

The Contractor shall keep the Property and all improvements thereon insured by carriers at all times satisfactory to the County against direct physical loss, and such other hazards, casualties, liabilities and contingencies as the County may require and in such amounts and for such periods as the County shall require.

Without limiting Contractor's indemnification obligations under this Contract, Contractor shall provide and maintain at its own expense, during the term of this Contract, or as may be further required herein, the insurance specified in this Article. Contractor's insurance shall protect County from claims which may arise out of or result from Contractor's operations under the Contract and for which Contractor may be legally liable, whether such operations are performed by Contractor or by a Subcontractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable.

Insurance proceeds and condemnation awards for any loss to or taking of the Housing Project shall be applied or utilized in a manner, which ensures that County's and Program interests are reasonably fulfilled.

- a. **Contractor Insurance.** Within 10 working days prior to the inception of the contract Contractor shall submit to County certificates of insurance and appropriate separate endorsements to the actual insurance policy, evidencing that the Contractor has obtained for the period of the Contract insurance in the following forms of coverage and minimum amounts specified from insurance carriers with an A. M. Best rating of A VII and above or proofs of self funding or a self insurance program.
1. An occurrence policy of Commercial General Liability insurance insuring Contractor against liability for bodily injury, including death, personal injury or property damage arising out of all operations of the Contractor during the execution of the said contract of not less than two Million Dollars (\$2,000,000) per occurrence. The County of San Diego, its officers, agents, employees, and volunteers shall be added as Additional Insured by separate endorsement to the policy.
  2. Statutory Workers' Compensation insurance along with Employer's Liability of not less than One Million Dollars (\$1,000,000).
  3. A Comprehensive Automobile Liability Insurance policy for bodily injury, including death, and property damage which provides total limits of not less than one million dollars (\$1,000,000) combined single limit per occurrence applicable to all owned, non-owned and hired vehicles.
  4. A standard fire policy including all risk or special form perils, in an amount of ninety percent 90% of the full replacement cost of the Building and Improvements, without deduction for depreciation, including costs of demolition and debris removal. Such policy or policies of insurance shall include coverage for (i) Contractor's merchandise, (ii) fixtures owned by Contractor, (iii) any items identified as improvements to the Premises constructed or owned by Contractor, and (iv) the personal property of Contractor, its agents and employees.
  5. Rental income insurance which shall assure Contractor of receiving the minimum monthly rent from the time the Premises are damaged or destroyed by a risk insured against by the standard fire policy including all risk or special form perils, until such time as they are returned to a tenantable condition, with a minimum period of coverage of one (1) year.
- b. **Subcontractor's Insurance.** All contractors, sub-contractors and/or design professionals of Contractor utilized to carry out the County funded program described herein shall have a valid contractor's license. Contractor shall make certain that any and all subcontractors hired by Contractor are insured in accordance with this Exhibit "A", Insurance Requirements, with insurance carriers that have an A. M. Best rating of A VII and above. If any subcontractor's coverage does not comply with the insurance provisions, Contractor shall indemnify and hold County harmless of and from any damage, loss, cost, or expense, including attorneys' fees, incurred by County as a result thereof. In addition to the foregoing, Contractor shall make certain that any and all subcontractors performing any excavation of the Project have Explosion, Collapse and Underground Damage Liability Insurance and coverage in the amount of One Million Dollars (\$1,000,000). Contractor shall include subcontractors under its policies or shall furnish separate certificates of insurance and endorsements for each subcontractor.

## **INSURANCE REQUIREMENTS**

A. Required General Liability Insurance Coverage. Contractor shall procure either Comprehensive General Liability Insurance or Commercial General Liability Insurance in the amounts and form set forth below:

(1) Comprehensive General Liability Insurance. A policy of Comprehensive General Liability Insurance with a combined single limit (CSL) per occurrence of \$1,000,000 per occurrence; OR;

(2) Commercial General Liability Insurance. A policy of Commercial General Liability Insurance, which provides limits of:

- |     |  |             |
|-----|--|-------------|
| (a) | General limit per Occurrence:                    | \$2,000,000 |
| (b) | General limit <u>Project Specific</u> Aggregate: | \$2,000,000 |
| (c) | Products/Completed Operations:                   | \$2,000,000 |
| (d) | Personal & Advertising Injury limit:             | \$2,000,000 |

For either type of insurance, deductibles applying to liability coverages shall be declared to and approved by the County's Risk Manager.

(3) Required General Liability Policy Coverage. Any general liability policy provided by Contractor hereunder shall include the following coverage:

- (a) Premises and Operations
- (b) Products/Completed Operations with limits of two million dollars (\$2,000,000) per occurrence to be maintained for a (3) three years following Acceptance of the work by the County.
- (c) Contractual Liability expressly including liability assumed under this Contract.
- (d) Personal Injury Liability
- (e) Independent Contractors' Liability
- (f) Severability of Interest clause providing that the coverage applies separately to each insured, except with respect to the limits of liability, and that an act or omission by one of the named insureds shall not reduce or avoid coverage to the other named insureds.
- (g) Explosion, Collapse & Underground Damage Hazards (X, C & U)

(4) Required Endorsements. For either type insurance, coverage shall include the following endorsements, copies of which shall be provided to County:

(a) Additional Insured Endorsement. Any general liability policy provided by Contractor hereunder shall contain an endorsement which applies its coverage to the County, the members of the Board of Supervisors of the County and the officers, agents, employees and volunteers of the County, individually and collectively, as additional insureds.

(b) Primary Insurance Endorsement. The coverage afforded by the additional insured endorsement described above shall apply as primary insurance, and any other insurance maintained by the County, the members of the Board of Supervisors of the County, or its officers, agents, employees and volunteers, or any County self-funded program, shall be excess only and not contributing with such coverage.

(5) Form of General Liability Insurance Policies. All general liability policies shall be written to apply to all bodily injury, including death, property damage, personal injury and other covered loss, however occasioned, occurring during the policy term, and shall specifically insure the performance by Contractor of that part of the indemnity agreement contained herein relating to liability for injury to or death of persons and damage to property. If the coverage contains one or more aggregate limits, a minimum of 50% of any such aggregate limit must remain available at all times; if over 50% of any aggregate limit has been paid or reserved, County may require additional coverage to be purchased by Contractor to restore the required limits. Contractor may combine primary, umbrella and as broad as possible excess liability coverage to achieve the total limits indicated above. Any umbrella or excess liability policy shall include the Additional Insured Endorsement described above.

B. Builder's Risk Insurance. Contractor shall provide Builder's Risk Insurance as follows:

(1) Coverage shall be provided on an "all-risk" or special form basis (including the perils of earthquake and flood, unless waived by the County).

(2) Coverage shall be provided on the work and materials which are the subject of this Contract, whether in process or manufacture or finished, including "in transit" coverage to the final agreed-upon destination of delivery, and including loading and unloading operations, and such coverage shall be in force until the work and materials are accepted by the County.

(3) County shall be named as an additional insured and/or loss payee as its interest may appear at the time of loss.

(4) Coverage shall be in an amount no less than the full replacement value of the property at the time of loss.

(5) The deductible shall not exceed \$10,000, or such amount that is commercially available, per occurrence and shall be borne by the Contractor, except higher deductibles for earthquake and flood may be approved by the County.

(6) Loss, if any, shall be adjustable with and payable to the County as trustee for all entities having an insurable interest, except in such cases as may require payment of all or a proportion of such insurance to be made to a mortgagee as its interest may appear.

(7) If Contractor fails to maintain such insurance as is called for herein, the County, at its option, may order the County Contractor to suspend work at Contractor's expense until a new policy of insurance is in effect and on file with the County.

C. Comprehensive Automobile Liability Insurance. Contractor shall procure Comprehensive Automobile Liability Insurance written for bodily injury, including death, and property damage, however occasioned, occurring during the policy term, in the amount of not less than One Million Dollars (\$1,000,000), combined single limit per occurrence, applicable to all owned, non-owned and hired vehicles. This coverage shall include Contractual Liability.

D. Statutory Workers' Compensation and Employer's Liability Insurance. Unless Contractor is a sole proprietorship, Contractor shall maintain a policy of California Workers' Compensation coverage in statutory amount and Employer's Liability coverage for no less than one million dollars (\$1,000,000) per occurrence for all employees of Contractor engaged in services or operations under the Contract. Coverage shall include the following endorsements, copies of which shall be provided to the County:

(1) Broad Form All-States endorsement

(2) Waiver of Subrogation endorsement

E. Professional Errors and Omissions Liability Insurance. If Contractor provides and/or engages the services of any type of professional, including, but not limited to, engineers and architects, whose failure due to a mistake or deficiency in design, formula, plan, specifications, advisory, technical or other services could result in liability, Contractor or Consultant shall obtain professional errors and omissions liability insurance in an amount of not less than one million dollars (\$1,000,000). If this policy contains a self retained limit, it shall not be greater than Ten Thousand Dollars (\$10,000) per occurrence/event; if the coverage contains one or more aggregate limits, a minimum of 50% of any such aggregate limit must remain available at all times; if over 50% of any aggregate limit has been paid or reserved, County may require additional coverage to be purchased by Consultant to restore the required limits. The policy shall include limited contractual liability coverage. This coverage shall be maintained for a minimum of two (2) years following termination or completion of Contractor's work pursuant to the Agreement.

F. Policy Terms and General Provisions.

(1) Certificates of Insurance. Contractor shall, as soon as practicable following the placement of insurance required hereunder, but in no event later than the effective date of the Contract, deliver to County certified copies of the actual insurance policies specified herein, or certificates evidencing the same, together with appropriate separate endorsements thereto, evidencing that Contractor has obtained such coverage for the period of the Contract. Thereafter, copies of renewal policies, or certificates and appropriate separate endorsements thereof, shall be delivered to County within thirty (30) days prior to the expiration of the term of any policy required herein. Contractor shall permit County at all reasonable times to inspect any policies of insurance of Contractor, which Contractor has not delivered to County.

(2) Claims Made Coverage. If coverage is written on a "claims made" basis, the Certificate of Insurance shall clearly so state. In addition to the coverage requirements specified above, such policy shall provide that:

(a) The policy retroactive date coincides with or precedes Contractor's commencement of work under the Contract (including subsequent policies purchased as renewals or replacements).

(b) Contractor will make every effort to maintain similar insurance during the required extended period of coverage following expiration of the Contract, including the requirement of adding all additional insureds.

(c) If insurance is terminated for any reason, Contractor shall purchase an extended reporting provision of at least two years to report claims arising in connection with the Contract.

(d) The policy allows for reporting of circumstances or incidents that might give rise to future claims.

(3) Waiver of Subrogation. The insurer shall waive all rights of recovery or subrogation against County, its agents, officers and employees, which might arise by reason of any payment under the policies. Contractor hereby waives all rights to recovery against County on account of loss or damage occasioned to Contractor or others under Contractor's control to the extent such loss or damage is insured against under any insurance policies, which may be in force at the time of the loss or damage.

(4) Notice of Cancellation or Change of Coverage. All certificates of insurance provided by Contractor must evidence that the insurer providing the policy will give Owner thirty (30) days' written notice, in advance of any cancellation, lapse, reduction or other adverse change respecting such insurance.

#### CONTRACTOR'S BONDS.

A. Contract Bonds. Prior to commencement of construction, Contractor shall file with the County on the approved forms, the two surety bonds in the amounts and for the purposes noted below, duly executed by a reputable surety company satisfactory to County, and Contractor shall pay all premiums and costs thereof and incidental thereto, as security for payment of persons named in California Civil Code Section 3181 or amounts due under Unemployment Insurance Code with respect to Work or Labor performed by any such claimant. All alterations, time extensions, extra and additional work, and other changes authorized by the Specifications, or any part of the Contract, may be made without securing consent of the surety or sureties on the contract bonds. Each bond shall be signed by both Contractor and the sureties.

(1) The "payment bond for public works" shall be in an amount of one hundred percent (100%) of the Contract price, as determined from the prices in the bid form, and shall inure to the benefit of persons performing labor or furnishing materials in connection with the work of the proposed Contract. This bond shall be maintained in full force and effect until all work under the Contract is completed and accepted by the County, and until all claims for materials and labor have been paid.

(2) The "performance bond" shall be in an amount of one hundred percent (100%) of the Contract price as determined from the prices in the bid form, and shall insure the faithful performance by Contractor of all work under the Contract. It shall also insure the replacing of, or making acceptable, any defective materials or faulty workmanship.

B. Qualification of Sureties. Should any surety or sureties be deemed unsatisfactory at any time by the County, notice will be given Contractor to that effect, and Contractor shall forthwith substitute a new surety or sureties satisfactory to the County. No further payment shall be deemed due or will be made under the Contract until the new sureties qualify and are accepted by the County.

## ATTACHMENT O

### COUNTY OF SAN DIEGO DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AFFIRMATIVE FAIR HOUSING MARKETING PLAN

#### 1. DEVELOPMENT INFORMATION

Development Name _____		Contact Person _____	
Address _____	City _____	State _____	Zip _____
Telephone No. _____		Fax No. _____	Census Tract _____ Council District _____

#### 2. MANAGING AGENT

Firm Name _____		Contact Person _____	
Address _____	City _____	State _____	Zip _____
Telephone No. _____		Fax No. _____	E-Mail _____

#### 3. PROJECT DATA

Total Number of Units \_\_\_\_\_: please break down below:

	<u>Market Rate</u>	<u>Low Income</u>	<u>Very Low Income</u>
0 Bedroom	_____	_____	_____
1 Bedroom	_____	_____	_____
2 Bedroom	_____	_____	_____
3 Bedroom	_____	_____	_____
4 Bedroom	_____	_____	_____

Check:      Multifamily \_\_\_\_\_      Single Family \_\_\_\_\_

Project Type: (Check One)    Seniors \_\_\_\_\_    Family \_\_\_\_\_    Mixed \_\_\_\_\_

Please indicate the date when rehabilitated or newly constructed units will be available for occupancy: \_\_\_\_\_.

4. **DIRECTION OF MARKETING ACTIVITY**

Indicate below which group(s) in the housing market area is least likely to, because of location and other factors, apply for the housing without special outreach efforts.

- ☐ White
- ☐ Black/African American
- ☐ Asian
- ☐ American Indian/Alaska native
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaska Native and White
- ☐ Asian and White
- ☐ Black/African American and White
- ☐ American Indian/Alaska Native and Black/African American
- ☐ Other Multi Racial

5. **MARKETING PERSONNEL AND BACKGROUND INFORMATION**

---

Name of Developer/Marketing Agent

Contact Person

---

Address

City

State

Zip

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_

Please list developments marketed within the past two years:

Name	Address	Type	No. Units	% Subsidy	Marketing Duration
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

6. **MARKETING EFFORTS**

For the subject development, how many units are to be leased through marketing efforts? (Units remaining after current residents are given preference.) \_\_\_\_\_.

How many months do you anticipate it will take for the development to attain 95% occupancy?

\_\_\_\_\_

7. **DEFINITION OF THE MARKET**

Define below the geographic area from which the majority of new tenants will be attracted. Please provide a map outlining the primary market area.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---



---

Provide a demographic description of tenants in the development area (include ethnicity, age, income, family size) who you intend to attract to the subject development.

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## 8. **MARKETING ACTIVITY AND OUTREACH EFFORTS**

Please check one or more of the following describing marketing activities planned for the subject development.

<input type="checkbox"/> Brochure*	<input type="checkbox"/> Billboard
<input type="checkbox"/> Newspaper Ads**	<input type="checkbox"/> Mass Mailing
<input type="checkbox"/> Public Relations	<input type="checkbox"/> Radio Ads
<input type="checkbox"/> Television Ads	<input type="checkbox"/> Other (specify) _____

\* Attach vendor cost estimates for design and printing.

\*\* Attach preliminary advertising schedule and budget.

**(The Fair Housing trademark and/or logo must be used in all newspaper ads and publications.)**

NAME OF NEWSPAPERS, RADIO OR T.V. STATIONS	RACIAL/ETHNIC IDENTIFICATION OF READER/AUDIENCE	SIZE OR DURATION OF ADVERTISING
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## 9. **COMMUNITY CONTACTS**

If the applicant chooses to use community contact as part of its outreach program, it is understood that contact with the group or organization listed below will be established and maintained throughout the initial marketing campaign and subsequent marketing efforts. If more space is needed, attach an additional sheet.

1. Name of Group or Organization
2. City, State, and Zip Code
4. Racial/Ethnic Identification
5. Approximate Date of Contact or Proposed Contact

	GROUP 1	GROUP 2
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

10. **ADDITIONAL MARKETING ACTIVITIES** (signs and Fair Housing Poster)

Will there be a sign at the development site? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, will the Fair Housing trademark and/or logotype be used? Yes \_\_\_\_\_ No \_\_\_\_\_

Will the development have any of the following? (please check): Rental Office \_\_\_\_\_

Model Units \_\_\_\_\_

Other (specify) \_\_\_\_\_

**In all areas checked, the Fair Housing Poster must be conspicuously displayed.**

11. **EXPERIENCE AND STAFF INSTRUCTIONS**

Does your organization have experience in marketing housing to the targeted group(s) you identify in this plan?

Yes \_\_\_\_\_ No \_\_\_\_\_

Training of your organization's staff must include Fair Housing Law and its regulations, outreach and Fair Housing marketing. Make a statement below regarding how this was or will be accomplished.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



It is understood that the plan outlined herein is established for residential development to provide housing for low and very low-income residents. In implementing this plan, the Owner/Developer and Marketing/Managing Agent signing below will abide by all rules and regulations of the federal Home Investment Partnership Program (HOME) when applicable, and the income and affirmative marketing requirements of HCD.

Owner/Developer:	_____	_____
	Name (print)	Title
	_____	_____
	Signature	Date
Marketing/Managing Agent	_____	_____
	Name (print)	Title

**COUNTY OF SAN DIEGO DEPARTMENT OF HOUSING AND  
COMMUNITY DEVELOPMENT**

Approved by:	_____	_____
	Name (print)	Title
	_____	_____
	Signature	Date

## **ATTACHMENT P**

### **MANAGEMENT PLAN CHECKLIST**

The developer will be required to submit a Management Plan for review and approval by County HCD. The reader's attention is called to HOME Program Regulations 24 CFR 92.253, which require certain tenant and participant protections for all rental housing funded by the HOME Program and to the HCD requirement for a crime-free element in the Management Plan (as described on page 6). Also required is a copy of the sample lease agreement and any addenda.

The Management Plan is required to follow the format below.

#### **Management**

- ☐ Role and Responsibility of the Owner and/or Delegation of Authority of the Managing Agent
  - ☐ Description of Site/Units
  - ☐ Scope of Duties
  - ☐ Changes in Management
- ☐ Personnel Policy and Staffing Arrangements
  - ☐ Hiring and Personnel Policies
  - ☐ Projected Staffing (On-Site Manager 16 or more units)
  - ☐ Training and Monitoring
  - ☐ Hiring of Residents
- ☐ Maintaining Adequate Accounting Records and Handling Necessary Forms and Vouchers
  - ☐ Accounting Basis
  - ☐ Collections and Disbursements
  - ☐ Contracting, Purchasing, Cost Controls
  - ☐ Compliance and Reporting
  - ☐ Vacancies and Rent Losses
  - ☐ Security Deposits
- ☐ Provisions for Update of Management Plan
- ☐ Insurance

#### **Occupancy**

- ☐ Plan and Procedures for Publicizing and Achieving Early and Continued Occupancy
  - ☐ Outreach (Affirmative Fair Housing Marketing/Advertising)
  - ☐ Resident Selection
  - ☐ Waiting List
  - ☐ Orientation
- ☐ Procedures for Determining Resident Eligibility and for Certifying and Annually Recertifying Household Income and Size
  - ☐ Initial Certification
  - ☐ Recertification
  - ☐ Changes in Eligibility During Occupancy
  - ☐ Leasing Procedures
- ☐ Rent Collection
  - ☐ Rent Payment
  - ☐ Late Rents
  - ☐ Rent Increases
- ☐ Procedure for Appeal, Grievance and Eviction
  - ☐ Right to Hearing
  - ☐ Eviction Procedures
- ☐ Plans for Enhancing Resident-Management Relations
  - ☐ Resident Organization(s)
  - ☐ Community Room
  - ☐ Auxiliary Program

**Maintenance and Security**

- ☐ Construction Follow-Up
- ☐ Maintenance Programs
  - ☐ Maintenance Duties
  - ☐ Maintenance Supervision and Performance
  - ☐ Tools
  - ☐ Resident Maintenance Requests
  - ☐ Resident Neglect and Abuse
  - ☐ Reconditioning for New Residents
  - ☐ Preventive Maintenance
  - ☐ Emergency Maintenance
  - ☐ Gardening and Landscape
  - ☐ Contract Maintenance
  - ☐ Maintenance Stock Control
- ☐ Security

**Attach the Affirmative Fair Housing Marketing Plan**